

EIGHTY-SECOND DAY

(Monday, June 12, 1939)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Morse.

The roll of the House was called, and the following Members were present:

Mr. Speaker	Hale
Allen	Hamilton
Allison	Hankamer
Alsup	Hardeman
Bailey	Hardin
Baker	Harp
of Fort Bend	Harper
Baker of Grayson	Harrell of Bastrop
Bell	Harrell of Lamar
Blankenship	Harris
Boethel	Hartzog
Bond	Holland
Boyd	Howard
Boyer	Howington
Bradbury	Hull
Bradford	Hunt
Bray	Isaacks
Bridgers	Johnson of Ellis
Broadfoot	Johnson of Tarrant
Brown of Cherokee	Keith
Brown	Kennedy
of Nacogdoches	Kern
Bundy	Kerr
Burkett	Kersey
Burney	Kinard
Cauthorn	King
Celaya	Langdon
Chambers	Lehman
Clark	Leonard
Cleveland	Leyendecker
Cockrell	Little
Colquitt	Lock
Colson, Mrs.	Loggins
Cornett	London
Corry	Mays
Crossley	McAlister
Daniel	McDaniel
Davis of Jasper	McDonald
Davis of Upshur	McFarland
Derden	McMurry
Dickison	McNamara
Dickson	Mohrmann
Donaghey	Monkhous
Dowell	Montgomery
Faulkner	Morris
Felty	Newell
Ferguson	Nicholson
Fielden	Pace
Fuchs	Pevehouse
Galbreath	Piner
Gilmer	Pope
Goodman	Ragsdale
Gordon, Mrs.	Reader of Bexar

Reader of Erath	Taylor
Reaves	Tennant
Reed	Thornberry
Rhodes	Thornton
Riviere	Turner
Roach	Vale
Roberts	Vint
Robinson	Voigt
Russell	Waggoner
Segrist	Weldon
Shell	Wells
Skiles	Westbrook
Smith of Frio	White
Smith of Hopkins	Wilson
Spencer	Winfree
Stinson	Wood
Stoll	Worley
Talbert	Wright
Tarwater	

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

A quorum was announced present.

Prayer was offered by Rev. George W. Coltrin, Chaplain, as follows:

"We would praise Thee, our Heavenly Father, that Thou hast kept us to this day and its opportunities. Help us to rise to planes of clear vision, and give us courage to carry on as should those to whom has been committed a great trust. Make clear Thy ways unto us. In Christ's name. Amen."

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Anderson for today, on motion of Mr. McNamara.

Mr. Schuenemann for today, on motion of Mr. Shell.

Mr. Heflin for today, on motion of Mr. Hardeman.

Mr. Coleman for today, on motion of Mr. Wright.

Mr. Smith of Matagorda for today, on motion of Mr. Faulkner.

The following Members were granted leaves of absence on account of illness:

Mr. Dean for today, on motion of Mr. Kinard.

Mr. Oliver for today, on account of illness in his family, on motion of Speaker Morse.

Mr. Petsch for today, on motion of Mr. Blankenship.

MOTIONS TO INTRODUCE CERTAIN BILLS

Mr. Kern moved to introduce the following bill:

By Mr. Kern and Mr. Morris:

H. B. No. _____, A bill to be entitled "An Act to raise revenue for the Old Age Assistance Fund, Available School Fund, Destitute Children and Needy Blind, Teachers' Retirement Fund, and the General Revenue Fund; amending Section 2, Subdivision 1, of Article 7057a of the Revised Civil Statutes of Texas, 1925, same being Section 2, subdivision 1, Chapter 162, Acts of the Forty-third Legislature, 1933, as amended by the Acts of the First Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 4; amending Section 3, Chapter 73, Acts of the Regular Session of the Forty-second Legislature, as amended by the Acts of the Third Called Session of the Forty-fourth Legislature, Chapter 495, Article 4, Section 8; amending Section 8, Chapter 73, Acts of the Regular Session of the Forty-second Legislature; amending Section 45, Article 7047, Revised Civil Statutes of Texas, 1925, same being Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Chapter 495, Article 4, Section 7; amending Section 40A, Article 7047, Revised Civil Statutes of Texas, 1925, as amended by the Acts of the Forty-second Legislature, 1931, page 355, Chapter 212, Section 1, as amended by Acts of 1936, Forty-fourth Legislature, Third Called Session, page 2040, Chapter 495, Article 4, Section 6; amending Article 111, Section 6, Acts of the Third Called Session of the Forty-fourth Legislature; amending Article 7070, Revised Civil Statutes of Texas, 1925, as amended, Acts of the Third Called Session of the Forty-fourth Legislature, 1936, Article 4, Section 1, House Bill No. 8, amending Article 7060, Revised Civil Statutes of Texas, 1925, as amended by Chapter 34, Acts of the Fifth Called Session of the Forty-first Legislature, as amended by Article IV, Section 3, Chapter 495, Acts of the Third Called Session of the Forty-fourth Legislature; providing that the State shall have a prior lien for all taxes, penalties and interest levied herein; expressly preserving all taxes, penalties, and interest accruing by virtue of any reenacted or repealed provisions of this Act and de-

claring them to be legal and valid obligations to the State; allocating certain funds to Old Age Assistance Fund, General Revenue, Available School Fund, Destitute Children's and Needy Blind Fund; and Teachers Retirement Fund; declaring the Act to be severable; repealing all laws in conflict, and declaring an emergency."

The motion was lost by the following vote (not receiving the necessary four-fifths vote):

Yeas—87

Allison	Kern
Bailey	Kerr
Baker	King
of Fort Bend	Langdon
Baker of Grayson	Lehman
Bell	Leyendecker
Blankenship	Lock
Boethel	London
Boyd	Mays
Bradbury	McDonald
Bridgers	Mohrmann
Brown of Cherokee	Morris
Brown	Newell
of Nacogdoches	Pevehouse
Burney	Piner
Cauthorn	Reader of Bexar
Cockrell	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Reed
Crossley	Rhodes
Daniel	Riviere
Davis of Jasper	Roach
Davis of Upshur	Roberts
Derden	Robinson
Dickison	Russell
Dickson	Skiles
Dowell	Spencer
Faulkner	Stinson
Ferguson	Stoll
Fielden	Talbert
Fuchs	Tarwater
Galbreath	Tennant
Gordon, Mrs.	Thornberry
Hale	Turner
Hamilton	Vint
Harp	Waggoner
Harrell of Bastrop	Weldon
Harrell of Lamar	Wells
Harris	Westbrook
Holland	White
Howington	Wilson
Isaacks	Winfree
Johnson of Ellis	Wood
Keith	Worley
Kennedy	

Nays—45

Allen	Boyer
Alsup	Bradford
Bond	Bray

Bundy	Kinard
Burkett	Leonard
Celaya	Little
Chambers	McAlister
Clark	McDaniel
Cleveland	McMurry
Coleman	McNamara
Colquitt	Monkhouse
Corry	Nicholson
Donaghey	Pace
Felty	Petsch
Gilmer	Pope
Goodman	Shell
Hankamer	Smith of Hopkins
Harper	Taylor
Hartzog	Thornton
Howard	Vale
Hull	Voigt
Johnson of Tarrant	Wright
Kersey	

Absent

Broadfoot	McFarland
Hardeman	Montgomery
Hardin	Ragsdale
Hunt	Segrist
Loggins	Smith of Frio

Absent—Excused

Anderson	Oliver
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

Mr. Galbreath moved to introduce the following bill:

By Mr. Galbreath:

H. B. No., A bill to be entitled "An Act proposing an amendment to Article 17 of the Constitution to give the qualified electors the right to initiate constitutional amendments, statutory laws, repeal same and/or recall a public officer from office. Fixing the certification of signers, filing of petitions and the calling of special elections by the Governor in certain of these cases, providing for proper publication of the subject to the election to be held. Setting the required number of qualified electors who must sign such petitions to initiate an election upon any of the foregoing, providing for the appropriation of money from the General Fund to pay the expenses of such elections. Providing for the repeal of laws or parts of laws that may be in conflict with the provisions contained herein, and providing penalty for violation."

The motion was lost by the following vote:

Yeas—49

Allen	Kennedy
Allison	Kern
Baker	Kerr
of Fort Bend	Kersey
Baker of Grayson	King
Bell	Leyendecker
Bradbury	Lock
Bray	Loggins
Bridgers	McDonald
Broadfoot	Newell
Brown	Pevehouse
of Nacogdoches	Pope
Cockrell	Reader of Erath
Colson, Mrs.	Reaves
Cornett	Skiles
Corry	Spencer
Crossley	Stoll
Davis of Jasper	Talbert
Galbreath	Tarwater
Gordon, Mrs.	Tennant
Hale	Weldon
Hardeman	Wells
Harrell of Lamar	Westbrook
Holland	Wilson
Hunt	Worley
Isaacks	

Nays—68

Bailey	Howington
Blankenship	Johnson of Ellis
Boethel	Johnson of Tarrant
Bond	Keith
Boyd	Kinard
Boyer	Langdon
Bradford	Lehman
Bundy	Little
Burkett	McAlister
Cauthorn	McDaniel
Celaya	McMurry
Chambers	McNamara
Clark	Mohrmann
Cleveland	Montgomery
Davis of Upshur	Nicholson
Dickson	Pace
Donaghey	Ragsdale
Dowell	Reed
Faulkner	Rhodes
Felty	Riviere
Ferguson	Roach
Fuchs	Roberts
Gilmer	Robinson
Hamilton	Russell
Hankamer	Segrist
Hardin	Shell
Harp	Smith of Frio
Harper	Stinson
Hartzog	Taylor
Howard	Thornberry

Thornton	Waggoner	Kinard	Roberts
Turner	White	King	Robinson
Vale	Wood	Langdon	Russell
Vint	Wright	Lehman	Segrist
		Leonard	Shell
	Absent	Leyendecker	Skiles
Alsup	Leonard	Lock	Smith of Hopkins
Brown of Cherokee	London	London	Spencer
Burney	Mays	McAlister	Stinson
Colquitt	McFarland	McDonald	Stoll
Daniel	Monkhouse	McMurry	Talbert
Derden	Morris	McNamara	Taylor
Dickison	Piner	Mohrmann	Thornton
Fielden	Reader of Bexar	Monkhouse	Turner
Goodman	Smith of Hopkins	Montgomery	Vale
Harrell of Bastrop	Voigt	Newell	Vint
Harris	Winfree	Nicholson	Waggoner
Hull		Pace	Weldon
	Absent—Excused	Pevehouse	Wells
Anderson	Oliver	Pope	Westbrook
Coleman	Petsch	Ragsdale	White
Dean	Schuenemann	Reader of Erath	Wilson
Dwyer	Smith	Reaves	Winfree
Heflin	of Matagorda	Reed	Wood
		Rhodes	Worley
		Riviere	Wright

HOUSE BILLS ON FIRST READING

Mr. Kinard moved to introduce, at this time, and have placed on first reading, House Bill No. 1131.

The motion prevailed by the following vote:

Yeas—107

Alsup	Dickison
Bailey	Dickson
Baker	Donaghey
of Fort Bend	Dowell
Baker of Grayson	Dwyer
Bell	Faulkner
Blankenship	Ferguson
Boyd	Fuchs
Boyer	Galbreath
Bradbury	Goodman
Bradford	Hamilton
Bridgers	Hankamer
Broadfoot	Harp
Brown of Cherokee	Harper
Bundy	Harrell of Bastrop
Burkett	Harrell of Lamar
Burney	Harris
Cauthorn	Hartzog
Celaya	Howard
Clark	Howington
Cleveland	Hull
Cockrell	Hunt
Colquitt	Isaacks
Colson, Mrs.	Johnson of Ellis
Corry	Johnson of Tarrant
Crossley	Kennedy
Davis of Jasper	Kern
Derden	Kersey

Nays—20

Allen	Keith
Bond	Kerr
Bray	Little
Chambers	McFarland
Cornett	Reader of Bexar
Daniel	Roach
Davis of Upshur	Smith of Frio
Gordon, Mrs.	Tarwater
Hale	Thornberry
Holland	Voigt

Present—Not Voting

Brown
of Nacogdoches

Absent

Allison	Loggins
Boethel	Mays
Felty	McDaniel
Fielden	Morris
Gilmer	Piner
Hardeman	Tennant
Hardin	

Absent—Excused

Anderson	Petsch
Coleman	Schuenemann
Dean	Smith
Heflin	of Matagorda
Oliver	

The Speaker then laid the bill before the House, it was read first time

and referred to the appropriate committee, as follows:

By Mr. Kinard and Mr. White:

H. B. No. 1131, A bill to be entitled "An Act to prohibit the teaching of communism, fascism, nazism or any other ism comprising a collectivist form of government in the public schools, colleges and universities in this State; providing for the dismissal of any teacher or professor teaching or advocating any such subject, and declaring an emergency."

Referred to the Committee on Education.

Mr. King moved to introduce, at this time, and have placed on first reading, House Bill No. 1132.

The motion prevailed by the following vote:

Yeas—101

Allen	Harrell of Bastrop
Allison	Harrell of Lamar
Alsup	Hartzog
Bailey	Holland
Baker of Grayson	Howington
Bell	Hull
Boethel	Hunt
Boyd	Isaacks
Boyer	Johnson of Ellis
Bradbury	Kennedy
Bridgers	Kern
Broadfoot	Kerr
Brown	Kersey
of Nacogdoches	Kinard
Bundy	Langdon
Burkett	Lehman
Burney	Leonard
Cauthorn	Leyendecker
Chambers	Little
Clark	McDaniel
Cleveland	McDonald
Cockrell	McFarland
Colson, Mrs.	McMurry
Cornett	McNamara
Daniel	Mohrmann
Davis of Jasper	Monkhouse
Derden	Newell
Dickison	Nicholson
Donaghey	Pace
Dowell	Ragsdale
Faulkner	Reader of Erath
Felty	Reaves
Ferguson	Reed
Fielden	Rhodes
Fuchs	Riviere
Gilmer	Roberts
Gordon, Mrs.	Robinson
Hale	Russell
Hamilton	Segrist
Harp	Skiles

Smith of Hopkins	Vint
Spencer	Voigt
Stinson	Waggoner
Stoll	Weldon
Talbert	Wells
Tarwater	Westbrook
Taylor	White
Tennant	Wilson
Thornberry	Wood
Thornton	Worley
Turner	Wright

Nays—17

Blankenship	Hankamer
Bond	Harris
Bradford	Johnson of Tarrant
Bray	McAlister
Corry	Montgomery
Crossley	Petsch
Davis of Upshur	Pevehouse
Dickson	Roach
Galbreath	

Present—Not Voting

Harper

Absent

Baker	Loggins
of Fort Bend	London
Brown of Cherokee	Mays
Celaya	Morris
Colquitt	Piner
Goodman	Pope
Hardeman	Reader of Bexar
Hardin	Shell
Howard	Smith of Frio
Keith	Vale
King	Winfree
Lock	

Absent—Excused

Anderson	Oliver
Coleman	Schuenemann
Dean	Smith
Dwyer	of Matagorda
Heflin	

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. King:

H. B. No. 1132, A bill to be entitled "An Act to amend Article 4667 of the Revised Civil Statutes of 1925, so as to declare the use of property for the purpose of contracting for the payment of usurious interest upon loans of money to be a common nuisance which may be enjoined at the suit of the State or any citizen, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Talbert asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1133.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Talbert:

H. B. No. 1133, A bill to be entitled "An Act to authorize the State of Texas to institute suit to enjoin any person, firm, or corporation, or their officers, agents, or employees from receiving and collecting interest in excess of that authorized by law and from engaging in business of making loans whereon usurious interest is charged; regulating the procedure, and providing for joinder of more than one defendant in the same action; providing a saving clause, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Petsch asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1134.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Petsch and Mr. Hale:

H. B. No. 1134, A bill to be entitled "An Act granting the State of Texas the right of injunction against usurious interest and service charges set forth in the Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

Mr. Thornberry asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1135.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Thornberry and Mr. Boyd:

H. B. No. 1135, A bill to be entitled "An Act making an appropriation to the State Board of Control out of the

unexpended balance of monies already appropriated for the painting of the roof of the Capitol Building, and declaring an emergency."

Referred to the Committee on Appropriations.

Mr. Baker of Fort Bend asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1136.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Baker of Fort Bend, Mr. Worley, Mr. London, Mr. Morris, Mr. Langdon, Mr. King and Mr. Wood:

H. B. No. 1136, A bill to be entitled "An Act amending Article 2844 of the Revised Civil Statutes of 1925, and declaring an emergency."

Referred to the Committee on Education.

Mr. Hardeman asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1137.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Hardeman and Mr. Reaves:

H. B. No. 1137, A bill to be entitled "An Act amending Section 17A of Chapter 126 of the Acts of the Regular Session of the Forty-fourth Legislature, as amended by Senate Bill No. 21, the same being Chapter 505 of the Acts of the Third Called Session of the Forty-fourth Legislature, and declaring an emergency."

Referred to the Committee on State Affairs.

BILLS ORDERED NOT PRINTED

On motion of Mr. Alsup, House Bill No. 1126 was ordered not printed.

On motion of Mr. Bridgers, House Bill No. 1130 was ordered not printed.

On motion of Mr. Pope, Senate Bill No. 320 was ordered not printed.

CONCERNING CONFERENCE COMMITTEE REPORT ON SENATE BILL NO. 427

Mr. Thornton asked unanimous consent of the House, that the Rule which

requires that a Conference Committee Report to be printed in the House Journal, be suspended, in order that the Report of the Conference Committee on Senate Bill No. 427 be printed in the Senate Journal, and not in the House Journal.

There was no objection offered, and it was so ordered.

RELATIVE TO PURCHASE OF FOREIGN PRODUCTS

The Speaker laid before the House, as unfinished business, House Concurrent Resolution No. 155, by Mr. Fuchs, relative to purchase of foreign products.

The resolution having heretofore been read second time.

(Pending consideration of the resolution, Mr. Blankenship occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Daniel moved that the resolution be postponed indefinitely.

Mr. Kinard moved to table the motion to postpone.

The motion to table was lost.

Question then recurring on the motion to postpone the resolution indefinitely, it prevailed.

RELATIVE TO THE USE OF COTTON

Mr. Fuchs offered the following resolution:

H. C. R. No. 157, Relative to the use of cotton.

Whereas, Texas has gone on record as favoring a wider use of cotton and research efforts to find new uses for cotton, and further has by resolution in the State Senate undertaken to find new uses by offering a suitable reward or compensation to those making discoveries which would require the use of raw cotton in manufacturing and processing undertakings; and

Whereas, Each new found use for cotton tends to increase employment of labor and to reduce any surpluses which may exist; and

Whereas, The United States now uses jute instead of cotton for its requirement for twines in the Post Offices and other Departments of the Government; and

Whereas, The policy of the Federal Government in importing twines made of jute when it could, by the purchase

of cotton twine, help to use a part of the cotton surplus, increase employment here in the United States and add somewhat to the increase of national wealth; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the Government of the United States be, and is hereby urged to make use of cotton twine instead of jute twine; and, be it further

Resolved, That a copy of this be furnished the President, the Vice-President, the Post Master General, and Members of the Texas delegation in the Congress of the United States.

FUCHS,
WHITE.

The resolution was read second time, and was adopted.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Montgomery offered the following resolution:

H. C. R. No. 162, To grant A. C. Petersen permission to sue the State.

Whereas, In executing the policy of the State of Texas, for protection against the pink boll worm and in compliance with the requirements of the laws of this State, on or about the 22nd day of January, 1918, the County of Galveston was placed under quarantine; and

Whereas, In compliance with the regulations enforced by authority of the State of Texas during said quarantine, A. C. Petersen of Harris County, Texas, suffered considerable loss on twenty-eight (28) acres of land then possessed and cultivated by him; and

Whereas, Through no fault of his own but in his endeavor to earn necessary funds the said A. C. Petersen thereafter was absent from the State and therefore not available during the time when notice of hearings on claims against the State resulting from said quarantine were given and said hearings were held; now, therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That the said A. C. Petersen be and he is hereby granted permission and given authority to present his claim for losses due to said quarantine to the Compensation Claim Board and said Board is hereby in-

structed to hear said claim as soon as possible on its merits, determine what, if any, loss was sustained by the said A. C. Petersen due to said quarantine and to authorize the payment of the amount of said claim so found by said Board to the said A. C. Petersen as a part of the claims against the State growing out of said quarantine heretofore provided for by law, and that no statute of limitation shall be a bar to a hearing on said claim.

The resolution was read second time, and was adopted.

TO PROVIDE FOR CERTAIN HIGHWAY SIGNS

Mr. White offered the following resolution:

H. C. R. No. 158, To provide for certain highway signs.

Whereas, There were 1,400 accidents caused by automobiles in 1938; and

Whereas, There were 1,610 killed and 14,239 injured in the same period; and

Whereas, For the first three months of this year there has been 353 killed and 3,398 injured out of 3,698 accidents; and

Whereas, There is a great need of conscious and intelligent driving for the promotion of safety; and

Whereas, There needs to be a reminder of the deaths caused upon our public highways of Texas; now, therefore, be it

Resolved by the House of Representatives and the Senate concurring, That the Department of Public Safety be requested to place an inexpensive white cross at each and every place where death occurred upon the public highways to call to the attention the tragedy that has occurred.

The resolution was read second time.

Mr. Taylor moved that the resolution be referred to the Committee on Highways and Motor Traffic.

Mr. White moved to table the motion to refer.

The motion to table was lost.

Question then recurring on the motion to refer the resolution to the Committee on Highways and Motor Traffic, it prevailed.

RELATIVE TO CERTAIN REPAIRS OF CAPITOL BUILDING

Mr. Thornberry offered the following resolution:

H. C. R. No. 176, Relative to certain repairs of Capitol Building.

Whereas, There are several places on the exterior roof of the Capitol, other than the dome, which are in dire need of painting in order to prevent rust and deterioration; and

Whereas, There is available for this purpose an unexpended balance in the fund appropriated for the painting of the interior and exterior of the dome of the Capitol; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Board of Control is hereby authorized and directed to use the unexpended balance of such fund for the painting of the roof, other than the dome, wherever needed.

THORNBERRY,
BOYD.

The resolution was read second time.

Mr. Alsup raised a point of order, on further consideration of the resolution, at this time, on the ground that funds referred to in the resolution were appropriated for certain purpose and said funds are not transferable by resolution for another purpose.

The Speaker sustained the point of order.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Kinard offered the following resolution:

H. C. R. No. 179, To grant A. J. Clingan permission to sue the State.

Whereas, A. J. Clingan, a minor, received physical injuries on the properties occupied by a unit of the Texas National Guard in Port Arthur, Texas;

Whereas, A. J. Clingan, being a minor, can institute suit only through his next best friend, Leroy Clingan, (his father) and;

Whereas, A suit cannot be maintained against the State of Texas and/or the National Guard of the State of Texas without permission from the Legislature of the State of Texas; now, therefore, be it

Resolved, That said A. J. Clingan, a minor, shall be granted permission

to bring suit through his next best friend, Leroy Clingan, (his father) against the State of Texas and/or the National Guard of the State of Texas in any court of competent jurisdiction and dangers for personal injuries received by him on the properties of the National Guard of the State of Texas; be it further

Resolved, That process in such suit may be served upon the Governor of Texas and the Attorney General of Texas and any judgment which may be recovered by reason of prosecution of the suit shall be payable out of funds of the National Guard of the State of Texas.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

GRANTING USE OF CERTAIN HIGHWAY EQUIPMENT

Mr. London offered the following resolution:

H. C. R. No. 180, Granting use of certain highway equipment.

Whereas, The State Highway Department of Texas has a large quantity of discarded guard wire in Montague County; and

Whereas, The Prairie Point Common School District No. 10 of Montague County has secured approval of a W. P. A. project for the purpose of building a permanent fence around the grounds of said school; and

Whereas, It would be a great accommodation to said school district if the State Highway Department were permitted to give said district the discarded guard wire hereinabove mentioned for the purpose of fencing the grounds; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the State Highway Department of Texas be authorized to give to the School Board of Prairie Point Common School District No. 10 of Montague County sufficient quantities of the discarded guard wire hereinabove mentioned for the purposes as hereinabove set out, and it is so resolved.

The resolution was read second time, and was adopted.

TO PROVIDE FOR APPOINTMENT OF CERTAIN COMMITTEE

Mr. Galbreath offered the following resolution:

H. C. R. No. 177, To provide for appointment of certain committee.

Whereas, The Forty-sixth Legislature of the State of Texas has now been in session for nearly five months and has not as yet provided any revenue by statutory to pay the Social Security program; and

Whereas, The Senate and the House of the Forty-sixth Legislature has refused to vote any measure to raise money to pay Social Security obligations; and

Whereas, The House has refused to vote a constitutional amendment for the purpose of raising money to pay the Social Security program; and

Whereas, It has been strongly indicated, and is a well known fact, that the Senate has gone on record as opposed to any statutory provision for raising said revenue; and, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Speaker of the House appoint three Members to make a definite inquiry of the Senate whether they will vote a statutory measure to pay the Social Security program and not a constitutional amendment, and that said answer be definitely returned to the House so that the House of Representatives may know and have full knowledge as to whether the Senate will vote a statutory measure to pay old age pensions and other social obligations, other than submitting a constitutional amendment to the people of the State, and it is so resolved.

The resolution was read second time.

Mr. Kerr moved that the resolution be referred to the Committee on Federal Relations.

The motion to refer was lost.

Mr. Bond moved to table the resolution.

The motion to table prevailed.

TO EXPRESS LEGISLATIVE INTENT IN REGARD TO SENATE BILL NO. 89

Mr. Westbrook offered the following resolution:

H. C. R. No. 184, To express legislative intent in regard to Senate Bill No. 89.

Whereas, Senate Bill No. 89 was passed by the Forty-sixth Regular Session of the Texas Legislature; and

Whereas, The Comptroller of Public Accounts of this State is in question as to the extent aid can be granted to the counties included in the provisions of said Act; now, therefore, be it

Resolved by the House of Representatives and the Senate concurring, That it is hereby clearly and definitely expressed that the intent of the Forty-sixth Legislature in conformity with the purpose for which said Act was passed, was that aid should be granted to each of said Counties to reimburse for all tax loss on the land purchased by the Federal Government, including county, school and road district tax levies, and it was not intended to be limited to the amount levied and collected by the respective counties for general revenue purpose only.

The resolution was read second time.

Mr. Wright moved to table the resolution.

The motion to table prevailed.

TO GRANT PERMISSION TO SUE THE STATE

Mr. Clark offered the following resolution:

H. C. R. No. 190, To grant Mrs. V. E. Howard permission to sue the State.

Whereas, It is alleged that the State Highway Department of Texas did build and cause to be built by and through its duly authorized agents and representatives, and said Highway Department by and through its agents and employees did supervise and construct the building of State Highway No. 80-A through the County of Palo Pinto; and

Whereas, It is alleged Mrs. V. E. Howard, has abutting on said highway a farm; and

Whereas, It is alleged in the construction of said highway No. 80-A by said Highway Department, such construction was done and performed in such a way as to cause the floodwaters of said creek to flow over, inundate, and wash away certain lands belonging to Mrs. V. E. Howard; and

Whereas, It is alleged that said Mrs. V. E. Howard, has never been compensated by the State of Texas for said alleged damage; and

Whereas, Said Highway No. 80-A and the alleged injuries herein set

forth happened during the recent construction of this new highway; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the said Mrs. V. E. Howard, be, and she is hereby granted permission to bring suit against the State of Texas, and against the Highway Department of the State of Texas in any court of competent jurisdiction in Palo Pinto County, Texas, in order to determine what compensation, if any, she is entitled to receive by reason of such alleged damages; and in case such suit be filed, service of citation or any other necessary processes shall be had upon the Chairman of the State Highway Commission of Texas, and that the same have the same force and effect as made and provided in civil cases, and that either of the parties to said suit shall have the right of appeal, and it is so resolved.

The resolution was read second time, and was referred, by the Speaker, to the Committee on State Affairs.

MEMORIALIZING CONGRESS IN REGARD TO SOCIAL SECURITY ACT

Mr. Hale offered the following resolution:

H. C. R. No. 167, Memorializing Congress to amend the Social Security Act so that the several States may remove the child support and property clauses from their Old Age Assistance Laws without jeopardizing their participation in Federal funds.

Whereas, Thousands of needy and deserving citizens of Texas over the age of 65 have been denied Old Age Assistance, which assistance their application so justly merits, because the investigation of their claims by the State agency revealed the presence of relatives or property sufficient to disqualify them under the present laws; and

Whereas, The sovereign people of Texas are practically unanimous in their desire that no aged person otherwise eligible for assistance be disqualified because of the financial condition of the children or other relatives, or because of the mere ownership as such, without any income accruing therefrom, of a reasonable amount of real or personal property; and

Whereas, Senate Bill No. 9 greatly liberalizes the Texas Old Age Assistance Law by removing the child support and property clauses therefrom, and enables the State to fulfill partially its solemn obligation to those aged citizens whose efforts and struggles of yesteryear made possible our great Democracy of today; and

Whereas, Both Houses of the Texas Legislature have passed Senate Bill No. 9 by overwhelming majorities and it is now in the hands of the Governor awaiting executive action; and

Whereas, There is a high possibility that the Social Security Board at Washington, under the provisions of the U. S. Social Security Act of 1935, will reject the definition of need as outlined in Senate Bill No. 9, and will deny to the aged of Texas the Federal funds to which they are legally entitled and which they so pressingly need; and

Whereas, These Federal funds are most vital and essential to the proper conduct of Social Security activities in this State and are absolutely necessary in order that the assistance granted to the old people of Texas will be adequate for their welfare and comfort; therefore, be it

Resolved by the House of Representatives of the State of Texas, the Senate concurring, That we do urgently request of the Congress of the United States that it take action immediately to amend the Social Security Act to such an extent that the Social Security Board cannot hereinafter deny to the several States their Federal grants for Old Age Assistance because the respective State laws define need by excluding (1) any consideration of the financial condition of any relatives or (2) any reasonable amount of real or personal property from which no income is derived; and, be it further

Resolved, That the Chief Clerk of the House of Representatives and the Secretary of the Senate be instructed to affix the seals of their respective Houses to signed copies of this resolution and that a copy of same be mailed immediately to each Member of the Texas delegation in the U. S. House of Representatives, to Senators Sheppard and Connally, to Vice-President John N. Garner, and to the President of the United States; and, be it further

Resolved, That each of the recipients of this petition be urgently

requested, individually and collectively, to exert their utmost influence and their strongest efforts in order that the objectives of this resolution might at once be attained.

HALE,
PINER,
CORNETT,
BURNLEY,
KERR,
PEVEHOUSE.

The resolution was read second time.

(Pending consideration of the resolution, Mr. Little occupied the Chair temporarily.)

(Speaker in the Chair.)

On motion of Mr. Daniel, the resolution was referred to the Committee on Education.

MEMORIALIZING CONGRESS IN REGARD TO PASSAGE OF CERTAIN LEGISLATION

Mr. Fuchs offered the following resolution:

H. C. R. No. 173, Memorializing Congress in regard to passage of certain legislation.

Whereas, The producers of cotton in Mexico, Central and South American countries are given an advantage over the producers of cotton in the United States in that they may take their raw cotton to foreign countries and trade for manufactured goods and wares and enter them into their respective countries without the payment of tariff duties; and

Whereas, This enables the producers of cotton in these countries to purchase the things they buy at a price approximately one-half of the price that must be paid by the people of the United States; and

Whereas, The high protective tariff levied by the United States creates a disparity as between the Southern cotton grower and the South American grower; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Congress of the United States be, and is hereby urged to either provide a subsidy for agriculture to offset the advantages given the manufacturers through the protective tariff system, which permits them to set up a two-price system for the sale of their goods and wares, selling to the people of the United States in a

protected market and to other countries in an unprotected market, or to lower the tariff on those goods and wares that are purchased by the Southern cotton growers to a point which would serve to place them on an equal footing with the cotton growers of South America; and, be it further

Resolved, That a copy of this resolution be sent to the President of the United States, the Vice-President, the Secretary of Agriculture, and the Members of the Texas delegation at Washington.

FUCHS,
WHITE.

The resolution was read second time.

On motion of Mr. Daniel, the resolution was referred to the Committee on Agriculture.

RECALLING SENATE BILL NO. 462 FROM THE GOVERNOR

The Speaker laid before the House, for consideration, at this time, the following resolution:

S. C. R. No. 60, Recalling Senate Bill No. 462 from the Governor.

Be It Resolved that the Senate of Texas, the House of Representatives concurring, That the Governor of Texas is hereby respectfully requested to return to the House of Representatives for further consideration, Senate Bill No. 462 in order that the following words may be stricken from said bill, "a chairman and" before the words "a secretary" in Section 1 thereof, and that the Secretary of the Senate be instructed to withdraw his certificate therefrom and that the President of the Senate and Speaker of the House be, and they are hereby directed to erase their names therefrom.

The resolution was read second time, and was adopted.

INVITATION TO MEMBERS OF THE HOUSE

Mr. Clark offered the following resolution:

H. S. R. No. 313, Invitation to Members of the House to attend the Third Annual Health Festival to be held in Mineral Wells.

Whereas, The Third Annual Health Festival of Texas will be held in Mineral Wells on the 16th, 17th and

18th days of June, 1939; and

Whereas, This colorful and entertaining pageant is sponsored by the Junior Chamber of Commerce of that city; and

Whereas, Many notable and well-known visitors will be in attendance at that Festival for three days of parades, concerts, dances and other entertainments; and

Whereas, A Health Queen for the entire State of Texas will be chosen from entries from over the whole State; and

Whereas, There will be a speed boat regatta of unusual interest; and

Whereas, The City of Mineral Wells has fine facilities; such as, hotels, parks, etc., for the entertainment of visitors; therefore, be it

Resolved, That all Members of the House of Representatives are cordially invited to attend this fiesta in Mineral Wells where friendly hospitality will be forthcoming; and, be it further

Resolved, That a copy of this resolution be sent to the Junior Chamber of Commerce in Mineral Wells, Texas.

The resolution was read second time, and was adopted.

TO PROVIDE FOR CERTAIN LEGISLATIVE COMMITTEE

Mr. Blankenship offered the following resolution:

H. C. R. No. 187, To provide for certain legislative committee.

Whereas, The operation, management and support of the State Government has grown to tremendous proportions, this being evidenced by the fact that the Departmental Appropriation Bill recently passed by the Regular Session of the Forty-sixth Legislature contained some 45 separate departmental appropriations; and

Whereas, The appropriations for the next biennium covering the Departmental, Judiciary, Eleemosynary, Educational, and Rural Aid appropriations amounted in the aggregate to more than Sixty-five Million (\$65,000,000.00) Dollars; and

Whereas, The departments of government are rapidly increasing and are growing to such proportions as to cause all thinking persons to view with alarm the magnitude and scope of the costs of our State Government; and

Whereas, The State of Texas has no means of meeting the heavy obligations to carry on its government except by means of taxes; and

Whereas, The magnitude of the operation of our government through its various departments and institutions has grown to such an extent that it vitally effects every citizen of this State, and the costs of operating such government creates a liability upon every kind and character of property located within the confines of this State; and

Whereas, There is no indication of a cessation or letting-up of the increase in costs of government due to the fact that we now have pensions for the aged, pensions for firemen, pensions for school teachers, and amendments have recently been adopted providing for aid to certain blind citizens and aid to children of indigent parents; and

Whereas, It is the duty of the Legislature of this State to see that adequate revenue is raised; that it is dispensed justly and equitably, and that reasonable service is received by the State from its various employees for the money so spent; and

Whereas, Under the Constitution of this State, sessions of the Legislature are limited to one Regular Session each two years, and such number of Special Sessions as may be called by the Governor; and

Whereas, There are usually introduced at a Regular Session of the Legislature approximately 1,000 to 1,200 bills in the House of Representatives, and approximately 500 to 600 bills in the Senate, dealing with practically every conceivable phase of government and taxation, as well as hundreds of simple, concurrent, and joint resolutions; and

Whereas, It is a physical impossibility for even the most studious and energetic Member of the Legislature to read, much less digest, this large volume of proposed legislation in the limited time afforded; and

Whereas, Because of the conditions hereinbefore outlined it is absolutely impossible for the Members of the Legislature of this State to give careful and due consideration to proposed legislation, and thus through no fault of the Legislature, but principally due to our system of government, many laws are passed that probably should not ever have been passed, and many

laws that are really needed are passed in form and substance contrary to the best interests of the citizens of this State, because they were not and could not have been properly considered in the first instance by the Legislature; and

Whereas, It is fundamental that the Legislature should be fully informed upon all matters of government coming before it, and especially upon the matters of the various departments and institutions of every kind, as well as being informed upon the properties in this State subject to taxation and the ability of such properties, or rather the owners thereof, to meet the tax burdens of this government in consonance with the Constitutional provision which says that all taxes shall be equal and uniform; and

Whereas, It is believed that the unfortunate condition existing, as hereinbefore outlined, can be materially changed for the better and more favorable results obtained by the creation of a joint committee from the Senate and the House of Representatives of the State of Texas to exist and operate as a Joint Interim Committee; now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That a Joint Committee, consisting of five Members of the House of Representatives, to be appointed by the Speaker of the House, and five Members of the Senate, to be appointed by the President of the Senate, be and is hereby created for the following purposes:

Said Committee shall, after its appointment, meet and select one of its members Chairman, and such Chairman shall be authorized and empowered to call such meetings as the Committee may deem necessary, and the Committee may adopt such rules and regulations as will be necessary to carry out the purpose of this resolution.

Said Committee shall have the power and authority, and it shall be its duty to make a full investigation of the various departments and institutions of the Government of the State of Texas in order to determine as nearly as possible the actual need of such departments and institutions in order that same may properly function with the least possible expense to the State, especially having in mind the recommendation of the

elimination of any unnecessary departments or institutions and the consolidation of several departments where there is a duplication of functions. In this connection this Committee is authorized and empowered to issue subpoenas calling for the appearance of the heads and employees of departments and institutions, together with such books, records and other information as the Committee may desire. Failure or refusal on the part of any person to obey such subpoenas so issued by such Committee shall subject such person or persons as for contempt in the courts of this State.

It shall be the duty of such Committee to make a record of its findings and investigations in such form as it shall decide upon, but it shall not be mandatory to keep a stenographic record of all its investigations.

It shall be the further duty of this Committee periodically, and not less than monthly, to submit to the other Members of the Legislature a brief recapitulation of its findings in such investigations and examinations, as well as the suggestions of such Committee to remedy the situation as disclosed.

It shall also be the duty of this Committee to check into, investigate and examine the taxable properties of this State of every kind and character and after having so investigated such taxable property, to work out and suggest a tax program for the next Regular Session of the Texas Legislature that will be comprehensive in its scope and just, fair, and equitable in its application so that no class, character or kind of property will be bearing more than its just tax burden but that all property in this State will be taxed fairly, equally and uniformly so as to as nearly as possible equitably distribute the tax burdens of this State.

The Committee herein provided shall have free access to all books and records in the several departments of the State Government, and of any other political subdivisions of the State.

The Committee shall also have the power to require from all persons, firms, and corporations in this State such information as it may desire with reference to the properties and tax burdens being borne by same.

It shall be the further duty of this Committee to not only make sugges-

tions for legislation to meet the needs of the State from the standpoint of raising the needed revenue to properly carry on the business of the State and to wipe out as far as possible and practicable the deficit of the State, and to make suggestions as to the consolidation of some of our various departments, if such be practical and economical, but also prepare and have ready for consideration by the next Regular Session of the Forty-seventh Legislature such bills as will in the judgment of the members of this Committee effectuate the purposes as suggested by such Committee; that is to say, said Committee may prepare bills ready for introduction at the Regular Session of the Forty-seventh Legislature as will in the judgment of the Committee remedy the evils existing as evidenced by its investigation; provided, however, that such bills shall deal as much as possible with single subject matters; and provided further that all such proposed bills shall be prepared at least 15 days before the convening of the Forty-seventh Legislature, and copies thereof sent to each Member of that Legislature. Such Committee shall also invite suggestions from all Members of the Legislature as to suggested and proposed legislation. Such Committee shall also keep available for use by any Member of the Legislature all data accumulated by it pertaining to or affecting any of the matters investigated by it.

It Is Further Resolved, That all persons attending any meeting or meetings of such Committee after having been subpoenaed so to do, shall be entitled to mileage and per diem the same as is now provided by law for the attendance of witnesses in the trial of civil cases in the courts of this State.

The Committee is authorized to employ a Secretary who shall keep a record of proceedings had by the Committee under the direction of the Chairman, and to keep said records available for inspection and examination at any time by any member or members of the Committee, as well as Members of the Legislature. The salary of such Secretary shall be the same as paid for like services in the Department Appropriations Bill of this State. The Committee is authorized to employ such additional help

as may be reasonably necessary to carry out the purposes of this resolution.

The members of the Committee shall receive no compensation for the performance of their services as members of the Committee. They shall receive during the time they actually serve, their necessary expenses incurred in the discharge of their duties, and the Committee shall be authorized and empowered to purchase such stationery and other supplies as may be necessary for the discharge of their duties. All monies expended by authority of this resolution shall be paid out of the Contingent Expense Account of the House of Representatives and of the Senate. All expense items must be approved by either the Speaker of the House of Representatives or the President of the Senate, the Lieutenant Governor.

The Committee shall be provided with a committee room in the Capitol in Austin, and its sessions shall be open to the public, except at such times as the Committee may, by a majority vote, determine to hold an executive session. The Committee shall have the authority to call upon the Attorney General of the State of Texas for any assistance that his department may be able to render.

The Secretary of said Committee shall keep a complete and accurate account of all monies expended under the terms of this resolution, and the Secretary shall file with the Chairman of the Contingent Expense Account a statement showing in detail the expenditures made by such Committee.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 187, by providing the expenses incurred shall not exceed \$500.00.

The amendment was lost.

Mr. Alsup moved to reconsider the vote by which the amendment was lost.

The motion to reconsider prevailed.

Question then recurring on the amendment by Mr. Alsup, it was adopted.

Mr. Alsup moved to table the resolution.

Mr. Bond raised a point of order, on further consideration of the resolution, at this time, on the ground that the time allotted for the consideration of resolutions has expired.

The Speaker overruled the point of order.

Question recurring on the motion to table the resolution, it prevailed.

PROVIDING FOR PHOTOGRAPHS OF FORMER SPEAKERS OF THE HOUSE

Mr. Leonard offered the following resolution:

H. S. R. No. 316, Providing for photographs of former Speakers of the House.

Whereas, There are now in the Speaker's Office of the House of Representatives the photographs of only six of the former Speakers of the House; and

Whereas, It would be a splendid thing to have hung on the walls of the Speaker's Office photographs of all former Speakers of the House, together with their names, home addresses and the number of the session in which each served; now, therefore, be it

Resolved, That the Chief Clerk of the House make diligent effort to secure as many of these photographs as possible and have them framed and hung on the walls of the Speaker's Office, the expense of doing said work to be paid out of the contingent expense fund of the House.

The resolution was read second time, and was adopted.

RELATIVE TO COMMITTEE ON PUBLIC LANDS AND BUILDINGS

Mr. Hankamer offered the following resolution:

H. S. R. No. 317, Relative to Committee on Public Lands and Buildings.

Whereas, Widespread adverse publicity in the form of newspaper articles has been given during the past ten days or two weeks to certain alleged minutes of the House Committee on Public Lands and Buildings; and

Whereas, The substance of such rumors and publicity has been such as to reflect upon the Chairman of said Committee on Public Lands and Build-

ings and upon his manner of conducting the affairs of the committee; and

Whereas, Such publicity, rumors, and charges are of such a nature as ought not to go unchallenged by the House of Representatives and the people of Texas; now, therefore, be it

Resolved, That the Speaker of the House be authorized to appoint a committee of five Members of the House to make a thorough investigation of all of said charges, rumors, and publicity to the end that the full and correct facts shall be known, and determine whether or not any of the Rules of the House have been breached or violated; and be it further

Resolved, That said committee shall report back to the House before sine die adjournment of the Regular Session of the Forty-sixth Legislature.

The resolution was read second time, and was adopted.

TO PROVIDE FOR ADJOURNMENT SINE DIE

Mr. Bradbury offered the following resolution:

H. C. R. No. 191, To provide for adjournment sine die.

Be it resolved by the House of Representatives, the Senate concurring, That the Regular Session of the Forty-sixth Legislature adjourn sine die, noon Friday, June 16, 1939, provided this resolution passes the Senate on or before Tuesday, June 13, 1939.

The resolution was read second time.

Mr. Thornton offered the following amendment to the resolution:

Amend House Concurrent Resolution No. 191, by striking out the words and figures, "Friday, June 16th," and insert in lieu thereof, the words and figures, "Tuesday, June 20th."

Mr. Keith moved that all necessary Rules be suspended in order that Mr. Thornton be permitted to discuss the amendment.

The motion prevailed.

Question recurring on the amendment by Mr. Thornton, it was adopted.

Mr. Keith moved to table the resolution.

Question recurring on the motion to table, yeas and nays were demanded.

The roll of the House was called and the vote announced, as follows: Yeas, 65; Nays, 67.

A verification of the vote was requested.

Mr. Reader of Erath moved a call of the House pending the verification, and the call was duly ordered.

The roll of the "yeas" and "nays" was again called, and the verified vote resulted, as follows:

Yeas—68

Allen	Langdon
Allison	Lehman
Bailey	Lock
Bell	Loggins
Boyd	London
Bridgers	Mays
Brown of Cherokee	McDonald
Brown of Nacogdoches	McNamara
Burney	Mohrmann
Colson, Mrs.	Morris
Cornett	Newell
Daniel	Pevehouse
Davis of Jasper	Piner
Davis of Upshur	Reader of Bexar
Derden	Reader of Erath
Dickison	Reaves
Ferguson	Rhodes
Fielden	Roach
Gordon, Mrs.	Robinson
Hale	Smith of Frio
Hamilton	Spencer
Hardeman	Stoll
Harper	Talbert
Harrell of Bastrop	Tennant
Harrell of Lamar	Thornberry
Harris	Turner
Holland	Vint
Howington	Weldon
Isaacks	Wells
Keith	Westbrook
Kennedy	White
Kern	Wilson
Kerr	Winfree
King	Worley

Nays—63

Alsup	Chambers
Baker	Clark
of Fort Bend	Cleveland
Baker of Grayson	Cockrell
Blankenship	Corry
Boethel	Crossley
Bond	Dickson
Boyer	Donaghey
Bradbury	Dowell
Bradford	Faulkner
Bray	Fuchs
Bundy	Galbreath
Burkett	Gilmer
Cauthorn	Hankamer
Celaya	Hardin

Harp	Pace
Hartzog	Ragsdale
Hull	Reed
Johnson of Ellis	Roberts
Johnson of Tarrant	Russell
Kersey	Segrist
Kinard	Skiles
Leonard	Smith of Hopkins
Leyendecker	Stinson
Little	Tarwater
McAlister	Taylor
McDaniel	Thornton
McFarland	Vale
McMurry	Voigt
Monkhouse	Waggoner
Montgomery	Wood
Nicholson	Wright

Absent

Broadfoot	Hunt
Colquitt	Pope
Felty	Riviere
Goodman	Shell
Howard	

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker announced that the motion to table prevailed.

HOUSE BILL NO. 1104 WITH SENATE AMENDMENTS

Mr. Boethel called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1104, A bill to be entitled "An Act fixing the compensation for County Commissioners' in certain counties; providing the manner of payment and prescribing the funds from which it shall be paid; providing for traveling expenses for County Commissioners in certain counties; providing the manner of payment and prescribing the funds from which they shall be paid; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Mr. Boethel moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

In accordance with the above action, the Speaker announced the appointment of the following Conference Committee on House Bill No. 1104:

Messrs. Boethel, Bundy, Celaya, Winfree and Isaacks.

HOUSE BILL NO. 526 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 526, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of agricultural industry of this State and to provide for the inspection of things and plants with reference to such quarantine, requiring persons to notify the Commissioner of Agriculture of the arrival of such things and plants against which a quarantine has been established and to hold them for inspection, and providing for the disposal of such infected things or plants by the Commissioner of Agriculture and further providing the manner of declaring such quarantines and providing for investigation by the Commissioner of Agriculture in order to determine the existence of such pests and diseases and authorizing him to declare and enforce quarantine in order to prevent the spread thereof, and declaring an emergency."

On motion of Mr. Leonard, the House concurred in the Senate amendments.

HOUSE BILL NO. 943 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 943, A bill to be entitled "An Act to amend Sections 1, 2, 3, 4, 6, 12, 21, 22, and to repeal Sections 5, 7, 14 and 18, of an Act relating to the bonding and licensing of dealers in citrus fruit in the State of Texas and being House Bill No. 99 of the Acts of the Forty-fifth Legislature as amended by Senate Bill No. 24 of the Acts of the First Called

Session of the Forty-fifth Legislature, and declaring an emergency."

On motion of Mr. Leonard, the House concurred in the Senate amendments by the following vote:

Yeas—118

Allen	Howard
Allison	Howington
Alsup	Isaacks
Bailey	Johnson of Ellis
Baker	Keith
of Fort Bend	Kennedy
Baker of Grayson	Kern
Bell	Kersey
Blankenship	Kinard
Boethel	King
Bond	Lehman
Boyer	Leonard
Bradbury	Leyendecker
Bradford	Little
Bray	Lock
Bridgers	Loggins
Broadfoot	London
Brown	McAlister
of Nacogdoches	McDaniel
Bundy	McDonald
Burkett	McMurry
Burney	McNamara
Cauthorn	Mohrmann
Celaya	Monkhouse
Chambers	Montgomery
Clark	Morris
Cleveland	Newell
Cockrell	Nicholson
Colquitt	Pevehouse
Colson, Mrs.	Piner
Cornett	Pope
Crossley	Reader of Bexar
Davis of Jasper	Reader of Erath
Davis of Upshur	Reaves
Derden	Reed
Dickison	Rhodes
Dickson	Riviere
Donaghey	Roach
Dowell	Roberts
Faulkner	Robinson
Felty	Russell
Ferguson	Segrist
Fuchs	Shell
Galbreath	Skiles
Gilmer	Smith of Frio
Gordon, Mrs.	Spencer
Hale	Stinson
Hamilton	Stoll
Hankamer	Talbert
Hardin	Tarwater
Harp	Taylor
Harper	Tennant
Harrell of Lamar	Thornberry
Harris	Thornton
Hartzog	Turner
Holland	Vale

Vint
Weldon
Wells
Westbrook

White
Wilson
Winfree
Wright

Nays—6

Boyd	Langdon
Fielden	Wood
Kerr	Worley

Absent

Brown of Cherokee	Johnson of Tarrant
Corry	Mays
Daniel	McFarland
Goodman	Pace
Hardeman	Ragsdale
Harrell of Bastrop	Smith of Hopkins
Hull	Voigt
Hunt	Waggoner

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

HOUSE BILL NO. 1050 WITH SENATE AMENDMENTS

Mr. Leonard called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 1050, A bill to be entitled "An Act to amend Chapter 3 of Title 128 of the Revised Statutes of 1925, relating to water control and preservation districts by providing that lands in any such district lying within or adjoining the territorial limit of an incorporated city or town, which was not included in such district at time of the organization of such district, and which lands have been subdivided into town lots and blocks, with streets or other thoroughfares dedicated to the use of the public, and of which a map and such dedication has been duly filed for record with the County Clerk of the county in which lands are situated, may be discontinued as part of such district; providing that the Board of Directors may pass resolutions excluding such territory; providing that the owners of such lands may petition the district for an election to determine the question of whether the lands shall be withdrawn, and for the holding of such an election and providing that lands so withdrawn shall no longer be entitled to be served with water

from the irrigation system, and that such lands shall be charged with their pro rata part existing indebtedness of the said district, and providing that the owner or owners of such lands may pay the total of their pro rata at any time."

On motion of Mr. Leonard, the House concurred in the Senate amendments by the following vote:

Yeas—128

Allen	Hankamer
Allison	Hardeman
Alsup	Hardin
Bailey	Harp
Baker	Harper
of Fort Bend	Harrell of Lamar
Baker of Grayson	Harris
Bell	Hartzog
Blankenship	Holland
Boethel	Howard
Bond	Howington
Boyd	Hunt
Boyer	Isaacks
Bradbury	Johnson of Ellis
Bradford	Johnson of Tarrant
Bray	Keith
Bridgers	Kennedy
Broadfoot	Kern
Brown	Kerr
of Nacogdoches	Kersey
Bundy	Kinard
Burkett	King
Burney	Langdon
Cauthorn	Lehman
Celaya	Leonard
Chambers	Leyendecker
Clark	Little
Cleveland	Lock
Cockrell	London
Colquitt	McAlister
Colson, Mrs.	McDaniel
Cornett	McDonald
Crossley	McMurry
Daniel	McNamara
Davis of Jasper	Mohrmann
Davis of Upshur	Monkhouse
Derden	Montgomery
Dickison	Morris
Dickson	Newell
Donaghey	Nicholson
Dowell	Pace
Faulkner	Pevehouse
Felty	Piner
Ferguson	Pope
Fielden	Reader of Bexar
Fuchs	Reader of Erath
Galbreath	Reaves
Gilmer	Reed
Gordon, Mrs.	Rhodes
Hale	Riviere
Hamilton	Roach

Roberts	Thornton
Robinson	Turner
Russell	Vale
Segrist	Vint
Skiles	Voigt
Smith of Frio	Waggoner
Spencer	Weldon
Stinson	Wells
Stoll	White
Talbert	Wilson
Tarwater	Winfree
Taylor	Wood
Tennant	Worley
Thornberry	Wright

Absent

Brown of Cherokee	Mays
Corry	McFarland
Goodman	Ragsdale
Harrell of Bastrop	Shell
Hull	Smith of Hopkins
Loggins	Westbrook

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

ADDITIONAL SIGNER OF HOUSE SIMPLE RESOLUTION NO. 313

Mr. Little was authorized to sign House Simple Resolution No. 313, as co-author of same.

HOUSE BILL NO. 1130 ON SEC- OND READING

On motion of Mr. Bridgers, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1130.

The Speaker then laid before the House, on its second reading, and passage to engrossment,

H. B. No. 1130, A bill to be entitled "An Act to amend Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-sixth Legislature, and declaring an emergency."

The bill was read second time.

Mr. Bridgers offered the following amendment to the bill:

Amend by striking out the following words in House Bill No. 1130: "Section 1. That Section 1 of House Bill No. 196, passed by the Regular Session of the Forty-fifth Legislature, be

amended so as hereafter to read as follows:"

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes, and with the body of the bill.

House Bill No. 1130 was then passed to engrossment.

HOUSE BILL NO. 1130 ON THIRD READING

Mr. Bridgers moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1130 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Fuchs
Allison	Gilmer
Alsup	Gordon, Mrs.
Bailey	Hale
Baker	Hankamer
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Blankenship	Harper
Boethel	Harrell of Lamar
Bond	Harris
Boyd	Hartzog
Boyer	Holland
Bradbury	Howard
Bradford	Howington
Bray	Hunt
Bridgers	Isaacks
Broadfoot	Johnson of Ellis
Brown	Johnson of Tarrant
of Nacogdoches	Kennedy
Bundy	Kerr
Burkett	Kersey
Burney	Kinard
Cauthorn	King
Celaya	Langdon
Chambers	Lehman
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Colson, Mrs.	Loggins
Cornett	London
Crossley	Mays
Daniel	McAlister
Davis of Upshur	McDaniel
Derden	McDonald
Dickson	McMurry
Dickson	McNamara
Dowell	Mohrmann
Faulkner	Monkhouse
Felty	Morris
Ferguson	Newell

Nicholson	Stoll
Pace	Talbert
Pevehouse	Tarwater
Piner	Taylor
Pope	Tennant
Reader of Bexar	Thornberry
Reader of Erath	Thornton
Reaves	Turner
Reed	Vale
Rhodes	Waggoner
Riviere	Weldon
Roach	Wells
Roberts	Westbrook
Robinson	White
Russell	Wilson
Skiles	Winfree
Smith of Frio	Wood
Spencer	Worley
Stinson	Wright

Absent

Brown of Cherokee	Keith
Colquitt	Kern
Corry	Leonard
Davis of Jasper	McFarland
Donaghey	Montgomery
Fielden	Ragsdale
Galbreath	Segrist
Goodman	Shell
Hamilton	Smith of Hopkins
Harrell of Bastrop	Vint
Hull	Voigt

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker then laid House Bill No. 1130 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118

Allen	Bridgers
Allison	Broadfoot
Alsup	Brown
Bailey	of Nacogdoches
Baker	Bundy
of Fort Bend	Burkett
Baker of Grayson	Burney
Bell	Cauthorn
Blankenship	Celaya
Boethel	Chambers
Bond	Clark
Boyd	Cleveland
Boyer	Cockrell
Bradbury	Colson, Mrs.
Bradford	Cornett
Bray	Crossley

Daniel	McMurry
Davis of Upshur	McNamara
Derden	Mohrmann
Dickson	Monkhouse
Dickson	Morris
Dowell	Newell
Faulkner	Nicholson
Felty	Pace
Ferguson	Pevehouse
Fuchs	Piner
Gilmer	Pope
Gordon, Mrs.	Reader of Bexar
Hale	Reader of Erath
Hankamer	Reaves
Hardeman	Reed
Hardin	Rhodes
Harp	Riviere
Harper	Roach
Harrell of Lamar	Roberts
Harris	Robinson
Hartzog	Russell
Holland	Skiles
Howard	Smith of Frio
Howington	Spencer
Hunt	Stinson
Isaacks	Stoll
Johnson of Ellis	Talbert
Johnson of Tarrant	Tarwater
Kennedy	Taylor
Kern	Tennant
Kersey	Thornberry
Kinard	Thornton
King	Turner
Langdon	Vale
Lehman	Waggoner
Leyendecker	Weldon
Little	Wells
Lock	Westbrook
Loggins	White
London	Wilson
Mays	Winfree
McAlister	Wood
McDaniel	Worley
McDonald	Wright

Absent

Brown of Cherokee	Keith
Corry	Kerr
Colquitt	Leonard
Davis of Jasper	McFarland
Donaghey	Montgomery
Fielden	Ragsdale
Galbreath	Segrist
Goodman	Shell
Hamilton	Smith of Hopkins
Harrell of Bastrop	Vint
Hull	Voigt

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

AUTHORIZING CERTAIN CORRECTION IN HOUSE BILL NO. 387

Mr. Cornett offered the following resolution:

H. C. R. No. 188, Authorizing certain correction in House Bill No. 387.

Whereas, As finally passed by the House and Senate the caption of House Bill No. 387 did not conform to the body thereof; and

Whereas, The caption should read, as follows:

"An Act to amend Article 1970, Revised Civil Statutes of Texas, 1925, as amended by Act, 1937, Forty-fifth Legislature, Regular Session, pages 1135, Chapter 457, by diminishing the jurisdiction of the County Court of Red River County, Texas, in certain criminal cases; and conforming the jurisdiction of the District Court of such county to such change, repealing all laws in conflict herewith, and declaring an emergency."

Whereas, The first three lines of Section 1 should be stricken out and the following inserted in lieu thereof:

"That Article 1970, Revised Civil Statutes of Texas, 1925, as amended by Acts, 1937, Forty-fifth Legislature, Regular Session, page 1135, Chapter 457 be, and the same is hereby amended so as hereafter to read, as follows;" now, therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Enrolling Clerk of the House be, and she is hereby authorized and empowered to change House Bill No. 387 to conform with changes made by this resolution.

The resolution was read second time, and was adopted.

MESSAGE FROM THE SENATE

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

S. B. No. 320, A bill to be entitled "An Act making an appropriation out of moneys in the State Treasury not otherwise appropriated for the Nueces River Conservation and Reclamation District, for each of the fiscal years ending August 31, 1940, and August 31, 1941, to aid said District in mak-

ing the necessary surveys and preparing the necessary plans for its construction program, and declaring an emergency."

S. B. No. 490, A bill to be entitled "An Act making an appropriation of Thirty Thousand (\$30,000.00) Dollars, or so much thereof as may be necessary to aid and facilitate the work to be performed by the Red Bluff Water Power Control District; provided that said appropriation shall be a loan to be repaid to the State of Texas out of the first revenues received by said District, and declaring an emergency."

H. B. No. 180, A bill to be entitled "An Act to amend Chapter 23 of the Acts of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, same being an Act entitled: 'An Act to aid the City of Rockport in constructing sea walls, breakwaters, revetments, etc., and declaring an emergency.'"

H. B. No. 181, A bill to be entitled "An Act to extend for an additional period of twenty (20) years the provisions of Chapter 22, Acts of the Third Called Session of the Thirty-sixth Legislature and to amend same in other particulars so as to read and be as provided for herein and to aid the City of Aransas Pass in constructing and maintaining sea walls, breakwaters, levees, channels, and other shore protections, including wharves forming part or parts of same, etc., and declaring an emergency."

H. B. No. 410, A bill to be entitled "An Act to amend Article 4553, Chapter 10, Title 71, of the Revised Civil Statutes of Texas, 1925, as amended by Section 1 of Chapter 7, Acts of First Called Session, Forty-second Legislature, etc., and declaring an emergency." (With amendments.)

H. B. No. 886, A bill to be entitled "An Act providing that County Commissioners Courts and the municipal government of any incorporated city, town or village, may appoint, employ, and pay case workers and investigators to make investigations of needy persons to whom may be supplied necessities, furnished by the Texas Relief Commission, any proper Federal Agency, or by counties or cities or by any one of said agencies, etc., and declaring an emergency."

The Senate has granted the request of the House for a Conference Com-

mittee to adjust the differences between the two Houses on House Bill No. 72.

The following have been appointed, on the part of the Senate: Senators Roberts, Lemens, Moore, Kelley and Weinert.

The Senate has adopted the Conference Committee Report on Senate Bill No. 200 by the following vote: Yeas, 22; Nays, 5.

Adopted the Conference Committee Report on House Bill No. 132 by the following vote: Yeas, 16; Nays, 7.

Respectfully,

BOB BARKER,

Secretary of the Senate.

SENATE BILLS ON FIRST READING

The following Senate bills, received from the Senate, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Bill No. 320, to the Committee on Appropriations.

Senate Bill No. 490, to the Committee on Appropriations.

BILLS AND RESOLUTION SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolution:

S. C. R. No. 60, Recalling Senate Bill No. 462 from the Governor.

S. B. No. 11, "An Act making an appropriation for the Pease River Flood Control District, etc., and declaring an emergency."

S. B. No. 200, "An Act defining bedding to include mattresses, pillows, bolsters, feather beds, etc.; requiring the labelling of bedding as to whether new or second-hand materials are used; etc., and declaring an emergency."

S. B. No. 481, "An Act authorizing and directing the Board of Control and the Governor to execute an easement conveying to the County of Upshur right-of-way necessary for the construction of a county road across the lands of the Texas State Colored Orphanage in Upshur County; etc., and declaring an emergency."

H. B. No. 1071, "An Act amending Article 2351 of the Revised Civil Statutes of 1925 by adding thereto Section 16, providing that Commissioners' Courts may use county road machinery and funds from the General Fund or Road and Bridge Funds in cleaning streams and in aiding flood control when said Court decides such improvements will be of aid to the county in the maintenance and the building of county roads, and declaring an emergency."

H. B. No. 1101, "An Act to provide for a joint rural school supervisor in Sabine and San Augustine Counties; providing mode and manner of paying such salaries; providing that the counties within the provisions of this Act may join in the hiring and paying of such joint rural school supervisor; providing for appointment of joint rural school supervisor in such counties; providing persons making such appointment; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1081, "An Act making an appropriation for the Upper Guadalupe River Authority; designating who shall have authority to execute vouchers under the directions and with the consent of Directors of said district; limiting the purposes for which the money may be spent; providing money therein appropriated is intended as a loan and is to be repaid to the State's General Revenue Fund from the first revenue received by said district, and declaring an emergency."

H. B. No. 1107, "An Act validating, confirming, approving and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities or towns at an election, or elections held during the year 1938; providing this Act shall only apply to cities and towns acting under a home rule charter and which city or town did not at the time of the holding of said election, or elections, own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system, or natural gas distribution system, etc., and declaring an emergency."

H. B. No. 1099, "An Act validating and approving all proceedings had by cities and towns in amending their corporate charters so as to eliminate any requirements in said charter that

any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the public free schools in said city or town, provided this Act shall only apply to cities and towns acting under a home rule charter and which charter sought to be amended provides that a portion of the annual ad valorem taxes levied shall be set apart for the use of the public free schools; and further provides that this Act shall not apply to such cities and towns unless such amendment to the charter was voted during the year 1938 and prior to the voting of said amendment the control of the public free schools in such cities and towns had been separated from the jurisdiction of said cities and towns and such public free schools were being operated under the control and jurisdiction of an independent school district nor shall this Act be effective as to any city or town which did not during the year 1938 and prior to the voting of said charter amendment hold an election at which a majority of the votes cast authorized the issuance by said city or town of bonds to secure funds for making public improvements nor to any city or town in which the assessed value of property for the purposes of taxation as shown by the tax rolls of said city or town for the year 1938 was less than Six Million, Seven Hundred and Eighty Thousand (\$6,780,000.00) Dollars or more than Six Million, Eight Hundred and Fifty Thousand (6,850,000.00) Dollars, and repealing Senate Bill No. 439, Acts of the Regular Session of the Forty-sixth Legislature; and further provided this Act shall not apply to any such proceedings the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

H. B. No. 1118, "An Act to authorize, enable and permit the territory situated within the bounds of the Andrews Independent School District, in the County of Andrews and the State of Texas, and other lands and territory adjacent thereto in Andrews County, to incorporate as an independent district for free school purposes only, to be hereafter known as the Andrews Independent School District, with all the powers, rights, privileges and duties of independent school districts formed by incorporation of territory for free school purposes only;

and to provide for an election on the question of divesting the old Andrews Independent School District of control of its public schools and title to school properties, and vesting the same in the new Andrews Independent School District and its Board of Trustees providing for a Board of School Trustees for the control and management of said independent school district; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the Trustees of the new district as herein provided may be created; providing that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid by a tax duly levied in the new district; providing other incidental provisions, and declaring an emergency."

H. B. No. 907, "An Act creating road law in Blanco County, Texas, providing work on public roads by those liable to such work; providing tax in lieu of such work; providing penalty for failure to pay such tax; providing time of paying such tax and penalty; making failure to work, pay the tax and/or the penalty, a misdemeanor; affixing penalties therefor, and declaring an emergency."

H. B. No. 1060, "An Act fixing and providing for the payment of the salary and traveling and office expenses of the County Superintendent of Public Instruction in counties with a population of not less than thirteen thousand, four hundred and fifty (13,450) nor more than thirteen thousand, six hundred (13,600) and not less than nineteen thousand, nine hundred and fifty (19,950) nor more than twenty thousand, one hundred (20,100), according to the preceding Federal Census; and fixing and providing for payment of compensation of County School Trustees in such counties, and declaring an emergency."

H. B. No. 1021, "An Act making it unlawful to use or possess oyster dredges in or on certain waters of Copano Bay, with exceptions; providing the Game, Fish and Oyster Commission may issue permits to use dredges to improve reefs, and that this Act does not apply to privately owned reefs; providing that United States Geodetic Maps are admissible in case of prosecution for violation

of fish and oyster laws; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

H. B. No. 1098, "An Act to prohibit the sale or offering for sale, or the buying of any bass, crappie, perch or catfish or any other fish taken from any river, creek, lake, slough, bayou, tank or pond flowing or situated within the boundaries of DeWitt County; prescribing a penalty, and declaring an emergency."

H. B. No. 1110, "An Act fixing compensation for justices of the peace and constables in certain counties; providing said compensation may be paid by part fees and part salary; providing mode and manner of payment of this salary; providing for limitations under this Act, and declaring an emergency."

H. B. No. 828, "An Act making an appropriation for use and benefit of the Lower Neches Valley Authority, and declaring an emergency."

H. B. No. 1094, "An Act fixing the salaries of Superintendents of Public Instruction in each county in Texas having a population of not less than twenty-three thousand, six hundred and twenty (23,620) nor more than twenty-three thousand, eight hundred (23,800), according to the last Federal Census or any subsequent Federal Census; providing mode and manner of paying such salaries; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

RECESS

Mr. Harrell of Lamar moved that the House recess until 2:30 o'clock p. m., today.

Mr. Felty moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Kersey moved that the House recess until 3:00 o'clock p. m., today.

The motion of Mr. Kersey prevailed, and the House, accordingly, at 12:40 o'clock p. m., took recess until 3:00 o'clock p. m., today.

AFTERNOON SESSION

The House met at 3:00 o'clock p. m., and was called to order by the Speaker.

MESSAGE FROM THE SENATE

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following:

H. B. No. 723, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund, or such other funds as may be designated for each item, providing that before payment of any claim shall be paid from funds hereby appropriated the same shall have the approval of the State Comptroller, and the Attorney General, etc., and declaring an emergency." (With amendment.)

The Senate has adopted

H. C. R. No. 188, Authorizing the Enrolling Clerk to make certain changes in House Bill No. 387.

H. C. R. No. 192, In memory of the Hon. Richard W. Mayfield.

Respectfully,

BOB BARKER,

Secretary of the Senate.

HOUSE BILL NO. 688 WITH SENATE AMENDMENTS

Mr. Tarwater called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 688, A bill to be entitled "An Act to amend Sections 1 and 6 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, and to amend Section 7 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature, as amended by Chapter 136, Acts of the Regular Session of the Forty-third Legislature, as amended by Chapter 117, Acts of the First Called Session of the Forty-third Legislature, as amended by Chapter 326, Acts of the Regular Session of the Forty-fourth Legislature, and as amended by Chapter 370, Acts of the Regular Session of the Forty-fifth Legislature, relative to the Board of County and District Road Indebtedness; and providing that if any portion hereof be unconstitutional or invalid for any reason, the remaining part shall, nevertheless, be in full force and effect; repealing all laws or parts of laws in conflict herewith, and declaring an emergency."

Mr. Tarwater moved that the House concur in the Senate amendments.

Mr. Keith moved, as a substitute motion, that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

(Pending consideration of the substitute motion by Mr. Keith, Mr. Thornton occupied the Chair temporarily.)

(Speaker in the Chair.)

Mr. Gilmer moved to table the substitute motion by Mr. Keith.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table was lost by the following vote:

Yeas—60

Allen	Leyendecker
Allison	Little
Bailey	Loggins
Bell	McAlister
Boethel	McMurry
Bond	Mohrmann
Boyer	Monkhouse
Bradbury	Newell
Burney	Nicholson
Cauthorn	Petsch
Clark	Pevehouse
Cockrell	Reader of Bexar
Corry	Reader of Erath
Dickison	Reaves
Dickson	Reed
Donaghey	Riviere
Faulkner	Roberts
Fuchs	Robinson
Gilmer	Segrist
Goodman	Skiles
Hardeman	Smith of Frio
Hardin	Stinson
Harp	Stoll
Hartzog	Tarwater
Howington	Thornton
Hunt	Turner
Kinard	Voigt
King	White
Langdon	Worley
Lehman	Wright

Nays—75

Alsop	Broadfoot
Baker	Brown of Cherokee
of Fort Bend	Brown
Baker of Grayson	of Nacogdoches
Blankenship	Bundy
Boyd	Burkett
Bradford	Celaya
Bray	Chambers
Bridgers	Cleveland

Colquitt	London
Cornett	Mays
Crossley	McDonald
Daniel	McFarland
Davis of Jasper	McNamara
Davis of Upshur	Montgomery
Dowell	Morris
Felty	Pace
Ferguson	Piner
Fielden	Pope
Galbreath	Ragsdale
Gordon, Mrs.	Rhodes
Hale	Roach
Hankamer	Russell
Harper	Smith of Hopkins
Harrell of Bastrop	Spencer
Harrell of Lamar	Talbert
Harris	Taylor
Holland	Tennant
Howard	Thornberry
Hull	Vale
Isaacks	Vint
Johnson of Tarrant	Waggoner
Keith	Weldon
Kennedy	Wells
Kern	Westbrook
Kerr	Wilson
Kersey	Winfree
Leonard	Wood
Lock	

Absent

Anderson	Johnson of Ellis
Colson, Mrs.	McDaniel
Derden	Shell
Hamilton	

Absent—Excused

Coleman	Oliver
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

Question then recurring on the substitute motion by Mr. Keith, it prevailed.

HOUSE BILL NO. 723 WITH SENATE AMENDMENTS

Mr. Fielden called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 723, A bill to be entitled "An Act making appropriations to pay miscellaneous claims out of the General Fund; providing that before payment of any claim shall be paid from funds hereby appropriated the same shall have the approval of the State Comptroller, the State Auditor, and the Attorney General, and provided further that any claim involv-

ing the refund of a franchise tax shall also carry the approval of the Secretary of State in addition to the other officials herein named, and declaring an emergency."

Mr. Fielden moved that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

HOUSE BILL NO. 410 WITH SENATE AMENDMENTS

Mr. Harris called up from the Speaker's table, with Senate amendments, for consideration of the amendments.

H. B. No. 410, A bill to be entitled "An Act to amend Article 4553, Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, as amended by Section 1 of Chapter 7, Acts of First Called Session, Forty-second Legislature, and Articles 4555, 4556, 4557, 4558, 4559, 4563, 4565, 4565a, 4565b, of Chapter 10, Title 71 of the Revised Civil Statutes of Texas, 1925, and Chapter 5, Title 12 of the Penal Code of Texas, 1925, by adding thereto Article 738a, and Article 737, Chapter 5, Title 12 of the Penal Code of Texas, 1925; so as to provide for a State Board of Examiners in Optometry, qualifications for and method of filling vacancies on said Board; providing for election of officers and meetings of the Board; prescribing powers and duties of the Board; requiring all persons desiring to practice optometry in Texas to pass examination; providing subjects for and method of giving examinations; providing grounds for refusal of and cancellation of any license; prescribing examination fee; prescribing renewal license fee and method of obtaining duplicate licenses; defining terms; specifying acts constituting penal offenses and providing a penalty; repealing Article 4560, Chapter 10, Title 71, of the Revised Civil Statutes of Texas, 1925, and all laws or parts of laws in conflict with the provisions of this Act; declaring the rule that the remainder of the Act shall not be affected by the unconstitutionality or invalidity of any part thereof, and declaring an emergency."

Mr. Harris moved that the House concur in the Senate amendments.

Mr. Wood moved, as a substitute motion, that the House do not concur in the Senate amendments, and that a Conference Committee be requested to adjust the differences between the two Houses on the bill.

Mr. Harris moved to table the substitute motion by Mr. Wood.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—76

Allison	Keith
Baker of Grayson	Kennedy
Bell	Kerr
Blankenship	Kersey
Boethel	Kinard
Bond	Langdon
Boyd	Leonard
Boyer	Little
Bradbury	Lock
Bradford	Loggins
Brown of Cherokee	McAlister
Burney	McDonald
Cauthorn	McFarland
Celaya	Monkhouse
Chambers	Montgomery
Clark	Morris
Cleveland	Newell
Cockrell	Pevehouse
Colson, Mrs.	Ragsdale
Corry	Reader of Bexar
Daniel	Reader of Erath
Davis of Jasper	Reaves
Dickison	Reed
Dickson	Robinson
Felty	Russell
Ferguson	Shell
Fuchs	Smith of Frio
Gilmer	Tarwater
Goodman	Thornberry
Gordon, Mrs.	Thornton
Hamilton	Turner
Hardin	Vale
Harp	Voigt
Harris	Waggoner
Hunt	Wells
Isaacks	Winfree
Johnson of Ellis	Worley
Johnson of Tarrant	Wright

Nays—44

Allen	Bundy
Alsup	Burkett
Bailey	Colquitt
Baker	Cornett
of Fort Bend	Crossley
Bray	Davis of Upshur
Broadfoot	Donaghey
Brown	Dowell
of Nacogdoches	Galbreath

Hale	Nicholson
Harper	Pace
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Holland	Roach
Howington	Roberts
Kern	Skiles
King	Spencer
Lehman	Stinson
Leyendecker	Stoll
Mays	Taylor
McDaniel	Weldon
McMurry	Westbrook
McNamara	Wood

Absent

Anderson	Mohrmann
Bridgers	Piner
Derden	Pope
Faulkner	Segrist
Fielden	Smith of Hopkins
Hankamer	Talbert
Hardeman	Tennant
Hartzog	Vint
Howard	White
Hull	Wilson
London	

Absent—Excused

Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda
Oliver	

Mr. Alsup moved that further consideration of House Bill No. 410 be postponed until 10:30 o'clock a. m., tomorrow and that the Senate amendments be printed in the Journal.

Mr. Harris moved to table the motion to postpone.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—65

Allen	Derden
Allison	Dickison
Bell	Dickson
Blankenship	Faulkner
Boyd	Felty
Boyer	Ferguson
Bradbury	Fielden
Bradford	Fuchs
Bridgers	Galbreath
Bundy	Goodman
Cauthorn	Hamilton
Celaya	Hardin
Chambers	Harp
Clark	Harris
Cleveland	Hartzog

Holland	Ragsdale
Howard	Reader of Bexar
Hunt	Reader of Erath
Isaacks	Reed
Kerr	Riviere
Kersey	Skiles
King	Smith of Frio
Langdon	Stoll
Leyendecker	Tarwater
Lock	Thornberry
Loggins	Thornton
McDonald	Turner
McFarland	Vale
McMurry	Wells
Morris	White
Newell	Worley
Nicholson	Wright
Pevehouse	

Nays—50

Alsup	Kennedy
Bailey	Lehman
Baker	McAlister
of Fort Bend	McDaniel
Baker of Grayson	McNamara
Boethel	Mohrmann
Bond	Montgomery
Bray	Pace
Brown of Cherokee	Reaves
Brown	Rhodes
of Nacogdoches	Roach
Burkett	Roberts
Burney	Robinson
Cockrell	Russell
Cornett	Segrist
Crossley	Spencer
Davis of Jasper	Stinson
Davis of Upshur	Taylor
Dowell	Vint
Gilmer	Voigt
Gordon, Mrs.	Waggoner
Hale	Weldon
Hardeman	Westbrook
Harrell of Bastrop	Wilson
Harrell of Lamar	Winfree
Howington	Wood

Absent

Broadfoot	Kinard
Colquitt	Leonard
Colson, Mrs.	Little
Corry	London
Daniel	Mays
Donaghey	Monkhouse
Hankamer	Piner
Harper	Pope
Hull	Shell
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Talbert
Keith	Tennant
Kern	

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

Question then recurring on the motion to concur in Senate amendments to House Bill No. 410, yeas and nays were demanded.

The House concurred in the Senate amendments to House Bill No. 410, by the following vote:

Yeas—76

Allen	Kennedy
Allison	Kerr
Baker of Grayson	Kersey
Bell	King
Boethel	Langdon
Boyd	Leyendecker
Boyer	Little
Bradbury	Lock
Bradford	Loggins
Bridgers	McDonald
Brown of Cherokee	McFarland
Bundy	McMurry
Cauthorn	Monkhouse
Celaya	Montgomery
Chambers	Newell
Clark	Nicholson
Cleveland	Pevehouse
Derden	Reader of Bexar
Dickison	Reader of Erath
Dickson	Reed
Faulkner	Rhodes
Felty	Riviere
Ferguson	Robinson
Fielden	Russell
Fuchs	Segrist
Galbreath	Skiles
Goodman	Smith of Frio
Gordon, Mrs.	Talbert
Hamilton	Tarwater
Harris	Thornberry
Hartzog	Thornton
Holland	Turner
Howard	Vale
Hull	Wells
Hunt	White
Isaacks	Winfree
Johnson of Ellis	Worley
Keith	Wright

Nays—41

Alsup	Bray
Bailey	Brown
Baker	of Nacogdoches
of Fort Bend	Burkett
Bond	Burney

Cockrell	Mohrmann
Cornett	Reaves
Crossley	Roach
Davis of Jasper	Roberts
Davis of Upshur	Smith of Hopkins
Gilmer	Spencer
Hale	Stinson
Hardeman	Stoll
Harper	Taylor
Harrell of Bastrop	Vint
Harrell of Lamar	Voigt
Howington	Waggoner
Kern	Weldon
Lehman	Westbrook
McAlister	Wilson
McDaniel	Wood
McNamara	

Absent

Blankenship	Kinard
Broadfoot	Leonard
Colquitt	London
Colson, Mrs.	Mays
Corry	Morris
Daniel	Pace
Donaghey	Piner
Dowell	Pope
Hankamer	Ragsdale
Hardin	Shell
Harp	Tennant
Johnson of Tarrant	

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

Mr. Harris moved to reconsider the vote by which the House concurred in the Senate amendments to House Bill No. 410, and to table the motion to reconsider.

The motion to table prevailed.

**RELATIVE TO SENATE BILL
NO. 179**

By unanimous consent of the House, on motion of Mr. Fuchs, Senate Bill No. 179 was re-set as a special order for tomorrow morning.

**HOUSE BILL NO. 1126 ON SEC-
OND READING**

On motion of Mr. Alsup, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1126.

H. B. No. 1126, A bill to be entitled "An Act making an appropriation of

the sum of Seventy-five Thousand (\$75,000.00) Dollars or so much thereof as may be necessary, out of any funds in the State Treasury not otherwise appropriated, to pay the contingent expenses and per diem of Members, and declaring an emergency."

The bill was read second time.

Mr. Alsup offered the following amendment to the bill:

Amend House Bill No. 1126, by inserting the words, "or so much thereof as may be necessary," after the words and figures, "\$75,000.00."

The amendment was adopted.

House Bill No. 1126 was then passed to engrossment.

**HOUSE BILL NO. 1126 ON THIRD
READING**

Mr. Alsup moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1126 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—113

Allison	Davis of Upshur
Alsup	Derden
Bailey	Dickison
Baker	Dickson
of Fort Bend	Donaghey
Baker of Grayson	Dowell
Bell	Faulkner
Blankenship	Felty
Boethel	Ferguson
Bond	Fuchs
Boyd	Galbreath
Boyer	Gilmer
Bradbury	Gordon, Mrs.
Bradford	Hale
Bridgers	Hamilton
Brown of Cherokee	Hankamer
Bundy	Hardeman
Burkett	Hardin
Burney	Harp
Cauthorn	Harper
Celaya	Harrell of Bastrop
Chambers	Harrell of Lamar
Clark	Hartzog
Cleveland	Howard
Cockrell	Howington
Colquitt	Hull
Colson, Mrs.	Hunt
Cornett	Isaacks
Crossley	Johnson of Ellis
Daniel	Johnson of Tarrant
Davis of Jasper	Keith

Kennedy	Rhodes
Kern	Riviere
Kerr	Roach
Kersey	Roberts
King	Robinson
Langdon	Russell
Leonard	Segrist
Leyendecker	Skiles
Little	Smith of Frio
Lock	Spencer
Loggins	Stinson
McAlister	Stoll
McDaniel	Tarwater
McDonald	Taylor
McNamara	Thornberry
Mohrmann	Thornton
Monkhouse	Turner
Montgomery	Vale
Newell	Vint
Nicholson	Voigt
Pace	Weldon
Ragsdale	Wells
Reader of Bexar	Westbrook
Reader of Erath	Wilson
Reaves	Winfree
Reed	Worley

Nays—9

Allen	Pevehouse
Brown	Smith of Hopkins
of Nacogdoches	Waggoner
Lehman	White
McMurry	Wood

Absent

Bray	Mays
Broadfoot	McFarland
Corry	Morris
Fielden	Piner
Goodman	Pope
Harris	Shell
Holland	Talbert
Kinard	Tennant
London	Wright

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker then laid House Bill No. 1126 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Allison	Baker
Alsup	of Fort Bend
Bailey	Baker of Grayson

Bell	Keith
Blankenship	Kennedy
Boethel	Kern
Bond	Kersey
Boyd	King
Boyer	Langdon
Bradbury	Lehman
Bradford	Leonard
Bridgers	Leyendecker
Brown of Cherokee	Little
Bundy	Lock
Burkett	Loggins
Burney	McAlister
Cauthorn	McDaniel
Celaya	McDonald
Chambers	McFarland
Clark	McNamara
Cleveland	Mohrmann
Cockrell	Monkhouse
Colquitt	Montgomery
Colson, Mrs.	Newell
Cornett	Nicholson
Crossley	Pace
Daniel	Pevehouse
Davis of Jasper	Ragsdale
Davis of Upshur	Reader of Bexar
Derden	Reader of Erath
Dickison	Reaves
Dickson	Reed
Donaghey	Rhodes
Dowell	Riviere
Faulkner	Roach
Felty	Roberts
Ferguson	Robinson
Fuchs	Segrist
Galbreath	Skiles
Gilmer	Smith of Frio
Goodman	Spencer
Gordon, Mrs.	Stinson
Hale	Stoll
Hamilton	Tarwater
Hankamer	Taylor
Hardeman	Thornberry
Hardin	Thornton
Harp	Turner
Harper	Vale
Harrell of Bastrop	Vint
Harrell of Lamar	Voigt
Hartzog	Waggoner
Holland	Weldon
Howington	Wells
Hull	Westbrook
Hunt	Wilson
Isaacks	Winfree
Johnson of Ellis	Worley
Johnson of Tarrant	Wright

Nays—7

Allen	Smith of Hopkins
Kerr	White
McMurry	Wood
Russell	

Present—Not Voting
Brown
of Nacogdoches

Absent

Bray	Mays
Broadfoot	Morris
Corry	Piner
Fielden	Pope
Harris	Shell
Howard	Talbert
Kinard	Tennant
London	

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

SENATE BILL NO. 488 ON SECOND READING

On motion of Mr. Bond, the regular order of business was suspended, to take up, and have placed on its second reading, and passage to third reading, Senate Bill No. 488.

The Speaker then laid before the House, on its second reading, and passage to third reading,

S. B. No. 488, A bill to be entitled "An Act to amend Section 1 of Senate Bill No. 275, of the Acts of the Forty-sixth Legislature, Regular Session of 1939, and to provide that all processes and writs issued and served and recognizances and bonds and undertakings entered into before this Act takes effect and made returnable to the 87th Judicial District in Limestone, Freestone, Anderson, and Leon Counties, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 488 ON THIRD READING

Mr. Bond moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 488 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—118

Allen	Bailey
Allison	Baker
Alsop	of Fort Bend

Baker of Grayson	Kern
Bell	Kerr
Blankenship	Kersey
Boethel	King
Bond	Langdon
Boyd	Lehman
Boyer	Little
Bradbury	Lock
Bradford	Loggins
Bray	Mays
Bridgers	McAlister
Brown of Cherokee	McDaniel
Bundy	McDonald
Burkett	McFarland
Burney	McMurry
Cauthorn	McNamara
Celaya	Mohrmann
Clark	Monkhouse
Cleveland	Montgomery
Cockrell	Newell
Colson, Mrs.	Nicholson
Cornett	Pace
Crossley	Pevehouse
Daniel	Ragsdale
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reader of Erath
Derden	Reaves
Dickison	Reed
Dickson	Rhodes
Donaghey	Riviere
Dowell	Roach
Faulkner	Roberts
Felty	Robinson
Ferguson	Russell
Fielden	Segrist
Fuchs	Skiles
Galbreath	Smith of Frio
Gilmer	Smith of Hopkins
Gordon, Mrs.	Spencer
Hale	Stoll
Hamilton	Talbert
Hankamer	Taylor
Hardeman	Tennant
Hardin	Thornberry
Harp	Thornton
Harper	Turner
Harrell of Bastrop	Voigt
Harrell of Lamar	Weldon
Holland	Wells
Howard	Westbrook
Howington	White
Hull	Wilson
Hunt	Winfree
Isaacks	Wood
Johnson of Ellis	Worley
Keith	Wright
Kennedy	

Nays—1

Colquitt

Present—Not Voting

Brown
of Nacogdoches

Absent	
Broadfoot	London
Chambers	Morris
Corry	Piner
Goodman	Pope
Harris	Shell
Hartzog	Stinson
Johnson of Tarrant	Tarwater
Kinard	Vale
Leonard	Vint
Leyendecker	Waggoner

Absent—Excused	
Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker then laid Senate Bill No. 488 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—118	
Allen	Donaghey
Allison	Dowell
Alsup	Faulkner
Bailey	Felty
Baker	Ferguson
of Fort Bend	Fielden
Baker of Grayson	Fuchs
Bell	Galbreath
Blankenship	Gilmer
Boethel	Gordon, Mrs.
Bond	Hale
Boyd	Hamilton
Boyer	Hankamer
Bradbury	Hardeman
Bradford	Hardin
Bray	Harp
Bridgers	Harper
Brown of Cherokee	Harrell of Bastrop
Bundy	Harrell of Lamar
Burkett	Holland
Burney	Howard
Cauthorn	Howington
Celaya	Hull
Clark	Hunt
Cleveland	Isaacks
Cockrell	Johnson of Ellis
Colson, Mrs.	Keith
Cornett	Kennedy
Crossley	Kern
Daniel	Kerr
Davis of Jasper	Kersey
Davis of Upshur	King
Derden	Langdon
Dickison	Lehman
Dickson	Little

Lock	Robinson
Loggins	Russell
Mays	Segrist
McAlister	Skiles
McDaniel	Smith of Frio
McDonald	Smith of Hopkins
McFarland	Spencer
McMurry	Stoll
McNamara	Talbert
Mohrmann	Taylor
Monkhouse	Tennant
Montgomery	Thornberry
Newell	Thornton
Nicholson	Turner
Pace	Voigt
Pevehouse	Weldon
Ragsdale	Wells
Reader of Bexar	Westbrook
Reader of Erath	White
Reaves	Wilson
Reed	Winfree
Rhodes	Wood
Riviere	Worley
Roach	Wright
Roberts	

Nays—1

Colquitt	
Present—Not Voting	
Brown	
of Nacogdoches	

Absent	
Broadfoot	London
Chambers	Morris
Corry	Piner
Goodman	Pope
Harris	Shell
Hartzog	Stinson
Johnson of Tarrant	Tarwater
Kinard	Vale
Leonard	Vint
Leyendecker	Waggoner

Absent—Excused	
Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

SENATE BILL NO. 485 ON SECOND READING

On motion of Mr. Montgomery, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 485.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 485, A bill to be entitled "An Act to validate all ad valorem

tax levies and assessments heretofore made by incorporated cities and towns in the State of Texas having a population of not less than three thousand, four hundred and fifty (3,450) inhabitants and not more than three thousand, four hundred and fifty-five (3,455), according to the last Federal Census, which levies and assessments are void or unenforceable because of the failure of the governing body of each respective incorporated city and town to make such levy by ordinance, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 485 ON THIRD READING

Mr. Montgomery moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 485 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Dowell
Allison	Faulkner
Alsup	Felty
Bailey	Ferguson
Baker	Fuchs
of Fort Bend	Galbreath
Baker of Grayson	Gilmer
Bell	Gordon, Mrs.
Blankenship	Hale
Boethel	Hamilton
Bond	Hankamer
Boyd	Hardin
Boyer	Harp
Bradbury	Harper
Bradford	Harrell of Bastrop
Bray	Harrell of Lamar
Bridgers	Hartzog
Brown of Cherokee	Holland
Bundy	Howard
Burney	Howington
Cauthorn	Hull
Celaya	Hunt
Chambers	Isaacks
Clark	Johnson of Ellis
Cleveland	Johnson of Tarrant
Cockrell	Keith
Colson, Mrs.	Kennedy
Cornett	Kern
Daniel	Kerr
Davis of Jasper	Kersey
Davis of Upshur	King
Dickison	Langdon
Donaghey	Lehman

Leyendecker	Robinson
Little	Russell
Lock	Segrist
Mays	Skiles
McAlister	Smith of Frio
McDaniel	Smith of Hopkins
McDonald	Spencer
McFarland	Stoll
McMurry	Talbert
McNamara	Tarwater
Mohrmann	Taylor
Monkhouse	Tennant
Montgomery	Thornberry
Morris	Thornton
Newell	Turner
Nicholson	Vint
Pace	Voigt
Pevehouse	Waggoner
Pope	Weldon
Reader of Bexar	Wells
Reader of Erath	Westbrook
Reaves	White
Reed	Wilson
Rhodes	Winfree
Riviere	Wood
Roach	Worley
Roberts	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Broadfoot	Harris
Burkett	Kinard
Colquitt	Leonard
Corry	Loggins
Crossley	London
Derden	Piner
Dickson	Ragsdale
Fielden	Shell
Goodman	Stinson
Hardeman	Vale

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker then laid Senate Bill No. 485 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Allen	Baker
Allison	of Fort Bend
Alsup	Baker of Grayson
Bailey	Bell

Blankenship	Langdon
Boethel	Lehman
Bond	Leyendecker
Boyd	Little
Boyer	Lock
Bradbury	Mays
Bradford	McAlister
Bray	McDaniel
Bridgers	McDonald
Brown of Cherokee	McFarland
Bundy	McMurry
Burney	McNamara
Cauthorn	Mohrmann
Celaya	Monkhouse
Chambers	Montgomery
Clark	Morris
Cleveland	Newell
Cockrell	Nicholson
Colson, Mrs.	Pace
Cornett	Pevehouse
Daniel	Pope
Davis of Jasper	Reader of Bexar
Davis of Upshur	Reader of Erath
Dickison	Reaves
Donaghey	Reed
Dowell	Rhodes
Faulkner	Riviere
Felty	Roach
Ferguson	Roberts
Fuchs	Robinson
Galbreath	Russell
Gilmer	Segrist
Gordon, Mrs.	Skiles
Hale	Smith of Frio
Hamilton	Smith of Hopkins
Hankamer	Spencer
Hardin	Stoll
Harp	Talbert
Harper	Tarwater
Harrell of Bastrop	Taylor
Harrell of Lamar	Tennant
Hartzog	Thornberry
Holland	Thornton
Howard	Turner
Howington	Vint
Hull	Voigt
Hunt	Waggoner
Isaacks	Weldon
Johnson of Ellis	Wells
Johnson of Tarrant	Westbrook
Keith	White
Kennedy	Wilson
Kern	Winfree
Kerr	Wood
Kersey	Worley
King	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Broadfoot
BurkettColquitt
Corry

Crossley	Leonard
Derden	Loggins
Dickson	London
Fielden	Piner
Goodman	Ragsdale
Hardeman	Shell
Harris	Stinson
Kinard	Vale

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

HOUSE BILL NO. 1136 ON SECOND
READING

Mr. Baker of Fort Bend moved that all necessary House Rules and the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1136 be placed on its second reading and passage to engrossment, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—120

Allen	Daniel
Allison	Davis of Jasper
Alsop	Davis of Upshur
Bailey	Dickison
Baker	Dickson
of Fort Bend	Donaghey
Baker of Grayson	Dowell
Bell	Faulkner
Blankenship	Ferguson
Boethel	Fuchs
Bond	Galbreath
Boyd	Gilmer
Boyer	Gordon, Mrs.
Bradbury	Hale
Bradford	Hamilton
Bray	Hardeman
Bridgers	Hardin
Brown of Cherokee	Harp
Brown	Harrell of Bastrop
of Nacogdoches	Harrell of Lamar
Bundy	Holland
Burkett	Howard
Burney	Howington
Cauthorn	Hull
Celaya	Hunt
Chambers	Isaacks
Clark	Johnson of Ellis
Cleveland	Johnson of Tarrant
Cockrell	Keith
Colquitt	Kennedy
Colson, Mrs.	Kern
Cornett	Kerr

Kersey	Roach
King	Roberts
Langdon	Robinson
Lehman	Russell
Leyendecker	Segrist
Little	Skiles
Lock	Smith of Frio
Mays	Smith of Hopkins
McAlister	Spencer
McDaniel	Stinson
McDonald	Stoll
McFarland	Talbert
McMurry	Tarwater
McNamara	Taylor
Mohrmann	Tennant
Monkhouse	Thornberry
Montgomery	Thornton
Morris	Turner
Newell	Voigt
Nicholson	Waggoner
Pace	Weldon
Pevehouse	Wells
Pope	Westbrook
Reader of Bexar	White
Reader of Erath	Wilson
Reaves	Winfree
Reed	Wood
Rhodes	Worley
Riviere	Wright

Absent

Broadfoot	Hartzog
Corry	Kinard
Crossley	Leonard
Derden	Loggins
Felty	London
Fielden	Piner
Goodman	Ragsdale
Hankamer	Shell
Harper	Vale
Harris	Vint

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1136, A bill to be entitled "An Act amending Article 2844 of the Revised Civil Statutes of 1925, and declaring an emergency."

The bill was read second time.

Mr. Baker of Fort Bend offered the following amendment to the bill:

Amend House Bill No. 1136, by inserting the words "as amended" after

the words "Revised Civil Statutes of Texas of 1925".

The amendment was adopted.

By unanimous consent of the House, the caption of the bill was ordered amended to conform to all changes and with the body of the bill.

House Bill No. 1136 was then passed to engrossment.

HOUSE BILL NO. 1136 ON THIRD READING

The Speaker then laid House Bill No. 1136 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—120

Allen	Galbreath
Allison	Gilmer
Alsup	Gordon, Mrs.
Bailey	Hale
Baker	Hamilton
of Fort Bend	Hardeman
Baker of Grayson	Hardin
Bell	Harp
Blankenship	Harrell of Bastrop
Boethel	Harrell of Lamar
Bond	Holland
Boyd	Howard
Boyer	Howington
Bradbury	Hull
Bradford	Hunt
Bray	Isaacks
Bridgers	Johnson of Ellis
Brown of Cherokee	Johnson of Tarrant
Brown	Keith
of Nacogdoches	Kennedy
Bundy	Kern
Burkett	Kerr
Burney	Kersey
Cauthorn	King
Celaya	Langdon
Chambers	Lehman
Clark	Leyendecker
Cleveland	Little
Cockrell	Lock
Colquitt	Mays
Colson, Mrs.	McAlister
Cornett	McDaniel
Daniel	McDonald
Davis of Jasper	McFarland
Davis of Upshur	McMurry
Dickison	McNamara
Dickson	Mohrmann
Donaghey	Monkhouse
Dowell	Montgomery
Faulkner	Morris
Ferguson	Newell
Fuchs	Nicholson

Pace	Stoll
Pevehouse	Talbert
Pope	Tarwater
Reader of Bexar	Taylor
Reader of Erath	Tennant
Reaves	Thornberry
Reed	Thornton
Rhodes	Turner
Riviere	Voigt
Roach	Waggoner
Roberts	Weldon
Robinson	Wells
Russell	Westbrook
Segrist	White
Skiles	Wilson
Smith of Frio	Winfree
Smith of Hopkins	Wood
Spencer	Worley
Stinson	Wright

Absent

Broadfoot	Hartzog
Corry	Kinard
Crossley	Leonard
Derden	Loggins
Felty	London
Fielden	Piner
Goodman	Ragsdale
Hankamer	Shell
Harper	Vale
Harris	Vint

Absent—Excused

Anderson	Oliver
Coleman	Petsch
Dean	Schuenemann
Dwyer	Smith
Heflin	of Matagorda

SENATE BILL NO. 171 ON SECOND READING

On motion of Mr. Winfree, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 171.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 171, A bill to be entitled "An Act providing for voluntary apprenticeship to open to young people the opportunity to obtain training that will equip them for profitable employment and citizenship, etc., and declaring an emergency."

The bill was read second time, and was passed to third reading.

SENATE BILL NO. 171 ON THIRD READING

Mr. Winfree moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 171 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—110

Allison	Holland
Alsup	Howard
Bailey	Howington
Baker	Hunt
of Fort Bend	Isaacks
Baker of Grayson	Johnson of Ellis
Bell	Johnson of Tarrant
Blankenship	Keith
Boethel	Kennedy
Bond	Kern
Boyd	Kerr
Boyer	Kersey
Bradbury	King
Bradford	Langdon
Bray	Lehman
Bridgers	Leonard
Brown of Cherokee	Leyendecker
Bundy	Little
Burkett	Lock
Burney	Loggins
Cauthorn	Mays
Celaya	McDaniel
Chambers	McDonald
Cleveland	McFarland
Colquitt	McMurry
Colson, Mrs.	McNamara
Cornett	Mohrmann
Crossley	Monkhouse
Daniel	Montgomery
Davis of Jasper	Morris
Dickison	Newell
Dickson	Nicholson
Donaghey	Pevehouse
Dowell	Pope
Faulkner	Reader of Erath
Ferguson	Reed
Fuchs	Rhodes
Galbreath	Riviere
Gilmer	Roach
Goodman	Roberts
Gordon, Mrs.	Robinson
Hamilton	Russell
Hankamer	Skiles
Hardeman	Smith of Frio
Hardin	Smith of Hopkins
Harp	Spencer
Harper	Stoll
Harrell of Bastrop	Tarwater
Harrell of Lamar	Taylor
Hartzog	Thornberry

Thornton
Turner
Voigt
Waggoner
Weldon
White

Wilson
Winfree
Wood
Worley
Wright

Nays—4

Clark
Cockrell

Davis of Upshur
Hale

Present—Not Voting

Brown
of Nacogdoches

Reaves

Absent

Allen
Broadfoot
Coleman
Corry
Derden
Felty
Fielden
Harris
Hull
Kinard
London
McAlister
Pace

Piner
Ragsdale
Reader of Bexar
Segrist
Shell
Stinson
Talbert
Tennant
Vale
Vint
Wells
Westbrook

Absent—Excused

Anderson
Dean
Dwyer
Heflin
Oliver

Petsch
Schuenemann
Smith
of Matagorda

The Speaker then laid Senate Bill No. 171 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—126

Allen
Allison
Alsup
Bailey
Baker
of Fort Bend
Baker of Grayson
Bell
Blankenship
Boethel
Bond
Boyd
Boyer
Bradbury
Bradford
Bray
Bridgers
Brown of Cherokee

Brown
of Nacogdoches
Bundy
Burkett
Burney
Cauthorn
Celaya
Chambers
Clark
Cleveland
Cockrell
Colquitt
Colson, Mrs.
Cornett
Crossley
Daniel
Davis of Jasper
Derden

Dickison
Dickson
Donaghey
Dowell
Faulkner
Ferguson
Fielden
Fuchs
Galbreath
Gilmer
Gordon, Mrs.
Hale
Hamilton
Hankamer
Hardeman
Hardin
Harp
Harper
Harrell of Bastrop
Harrell of Lamar
Harris
Hartzog
Holland
Howington
Hull
Hunt
Isaacks
Johnson of Ellis
Johnson of Tarrant

Keith
Kennedy
Kern
Kerr
Kersey
King
Langdon
Lehman
Leonard
Leyendecker
Little
Lock
Loggins
Mays
McAlister
McDaniel
McDonald

McFarland
McMurry
McNamara
Mohrmann
Monkhouse
Montgomery
Morris
Newell
Nicholson
Pace
Pevehouse
Pope
Ragsdale
Reader of Erath
Reaves
Reed
Rhodes
Riviere
Roach
Roberts
Robinson
Russell
Shell
Skiles
Smith of Frio
Smith of Hopkins
Spencer
Stinson
Stoll
Talbert
Tarwater
Taylor
Tennant
Thornberry
Thornton
Turner
Vint
Voigt
Waggoner
Weldon
White
Wilson
Winfree
Wood
Worley
Wright

Present—Not Voting

Davis of Upshur

Absent

Broadfoot
Corry
Felty
Goodman
Howard
Kinard
London

Piner
Reader of Bexar
Segrist
Vale
Wells
Westbrook

Absent—Excused

Anderson
Coleman

Dean
Dwyer

Heflin
Oliver
Petsch

Schuenemann
Smith
of Matagorda

SENATE BILL NO. 356 ON SECOND
READING

On motion of Mr. Worley, the regular order of business was suspended, to take up, and have placed on its second reading and passage to third reading, Senate Bill No. 356.

The Speaker then laid before the House, on its second reading and passage to third reading,

S. B. No. 356, A bill to be entitled "An Act amending Article 2671 of the Revised Civil Statutes of Texas, as amended by Chapter 278, Acts of the Regular Session of the Forty-first Legislature, etc., and declaring an emergency."

The bill was read second time.

Mr. Reader of Erath offered the following committee amendment to the bill:

Amend Senate Bill No. 356, by striking out the phrase reading: "provided, however, that when the uninvested cash balance in the Permanent School Fund exceeds Two Million (2,000,000.00) Dollars, the State Board of Education may purchase at less than two and one-half (2½%) per cent interest bonds, obligations or pledges of the United States Government or bonds, obligations or pledges guaranteed as to principal or as to principal and interest by the United States Government at the market price thereof."

The amendment was adopted.

Senate Bill No. 356 was then passed to third reading.

SENATE BILL NO. 356 ON THIRD
READING

Mr. Worley moved that the constitutional rule, requiring bills to be read on three several days be suspended, and that Senate Bill No. 356 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—117

Allison	Bell
Alsup	Blankenship
Baker	Boethel
of Fort Bend	Bond
Baker of Grayson	Boyd

Boyer
Bradbury
Bradford
Bray
Bridgers
Broadfoot
Brown of Cherokee
Brown
of Nacogdoches
Bundy
Burkett
Burney
Cauthorn
Celaya
Chambers
Clark
Cleveland
Cockrell
Colquitt
Colson, Mrs.
Cornett
Corry
Daniel
Davis of Jasper
Davis of Upshur
Derden
Dickison
Dickson
Donaghey
Dowell
Faulkner
Ferguson
Fielden
Fuchs
Galbreath
Goodman
Gordon, Mrs.
Hale
Hamilton
Hankamer
Hardeman
Harp
Harper
Harrell of Bastrop
Harrell of Lamar
Harris
Hartzog
Holland
Howard
Howington
Isaacks
Johnson of Tarrant
Kennedy
Kern
Kerr

Kersey
King
Langdon
Little
McAlister
McDaniel
McDonald
McFarland
McMurry
McNamara
Mohrmann
Monkhouse
Montgomery
Morris
Newell
Nicholson
Pace
Petsch
Pope
Ragsdale
Reader of Bexar
Reader of Erath
Reaves
Reed
Rhodes
Riviere
Roach
Roberts
Robinson
Russell
Segrist
Skiles
Smith of Frio
Smith of Hopkins
Spencer
Stinson
Stoll
Talbert
Taylor
Tennant
Thornberry
Thornton
Turner
Vint
Voigt
Waggoner
Weldon
Wells
Westbrook
White
Wilson
Winfree
Wood
Worley

Nays—4

Allen	Lehman
Hardin	Wright
	Absent
Bailey	Felty
Crossley	Gilmer

Hull	Loggins
Hunt	London
Johnson of Ellis	Mays
Keith	Pevehouse
Kinard	Piner
Leonard	Shell
Leyendecker	Tarwater
Lock	Vale

Absent—Excused

Anderson	Oliver
Coleman	Schuenemann
Dean	Smith
Dwyer	of Matagorda
Heflin	

The Speaker then laid Senate Bill No. 356 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—117

Allison	Faulkner
Alsup	Ferguson
Baker	Fielden
of Fort Bend	Fuchs
Baker of Grayson	Galbreath
Bell	Goodman
Blankenship	Gordon, Mrs.
Boethel	Hale
Bond	Hamilton
Boyd	Hankamer
Boyer	Hardeman
Bradbury	Harp
Bradford	Harper
Bray	Harrell of Bastrop
Bridgers	Harrell of Lamar
Broadfoot	Harris
Brown of Cherokee	Hartzog
Brown	Holland
of Nacogdoches	Howard
Bundy	Howington
Burkett	Isaacks
Burney	Johnson of Tarrant
Cauthorn	Kennedy
Celaya	Kern
Chambers	Kerr
Clark	Kersey
Cleveland	King
Cockrell	Langdon
Colquitt	Little
Colson, Mrs.	McAlister
Cornett	McDaniel
Corry	McDonald
Daniel	McFarland
Davis of Jasper	McMurry
Davis of Upshur	McNamara
Derden	Mohrmann
Dickison	Monkhouse
Dickson	Montgomery
Donaghey	Morris
Dowell	Newell

Nicholson	Stinson
Pace	Stoll
Petsch	Talbert
Pope	Taylor
Ragsdale	Tennant
Reader of Bexar	Thornberry
Reader of Erath	Thornton
Reaves	Turner
Reed	Vint
Rhodes	Voigt
Riviere	Waggoner
Roach	Weldon
Roberts	Wells
Robinson	Westbrook
Russell	White
Segrist	Wilson
Skiles	Winfree
Smith of Frio	Wood
Smith of Hopkins	Worley
Spencer	

Nays—4

Allen	Lehman
Hardin	Wright

Absent

Bailey	Leyendecker
Crossley	Lock
Felty	Loggins
Gilmer	London
Hull	Mays
Hunt	Pevehouse
Johnson of Ellis	Piner
Keith	Shell
Kinard	Tarwater
Leonard	Vale

Absent—Excused

Anderson	Oliver
Coleman	Schuenemann
Dean	Smith
Dwyer	of Matagorda
Heflin	

HOUSE BILL NO. 1078 ON SECOND READING

On motion of Mr. Howard, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 1078.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 1078, A bill to be entitled "An Act amending Sections 1 and 3 of Article 1105B of the 1925 Revised Civil Statutes of Texas, enacted by Acts of the First Called Session, Fortieth Legislature, 1927, page 489, Chapter 106; authorizing incorporated cities, towns, and villages incor-

porated under either General or Special Law, including those operating under a special charter or charter adopted pursuant to the home rule provisions of the Constitution, or any amendment or amendments thereto, to cause to be improved streets, avenues, alleys, highways, boulevards, drives, public places, squares, or any portion or portions thereof; to assess part of the cost against abutting property and owners thereof and against railroads, street railroads, or interurbans and the owners thereof, so that such improvements and assessments may be made although such streets, avenues, alleys, highways, boulevards, drives, public places, squares, or any portion or portions thereof lie without the corporate limits of such cities, towns, and villages, if that part to be improved lies immediately adjacent to and adjoins such corporate limits, and although the property abutting thereon is located outside such corporate limits; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 1078 ON THIRD READING

Mr. Howard moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 1078 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—123

Allen	Burkett
Allison	Burney
Alsup	Cauthorn
Bailey	Celaya
Baker	Chambers
of Fort Bend	Cleveland
Baker of Grayson	Cockrell
Bell	Colquitt
Blankenship	Colson, Mrs.
Boethel	Cornett
Bond	Corry
Boyd	Crossley
Boyer	Daniel
Bradbury	Davis of Jasper
Bradford	Davis of Upshur
Bray	Derden
Bridgers	Dickison
Brown of Cherokee	Dickson
Bundy	Dowell

Faulkner	McNamara
Ferguson	Mohrmann
Fielden	Monkhouse
Fuchs	Montgomery
Galbreath	Morris
Gordon, Mrs.	Newell
Hale	Nicholson
Hamilton	Pace
Hankamer	Pevehouse
Hardeman	Reader of Bexar
Hardin	Reader of Erath
Harp	Reaves
Harper	Reed
Harrell of Bastrop	Rhodes
Harrell of Lamar	Riviere
Harris	Roach
Hartzog	Roberts
Holland	Robinson
Howard	Russell
Howington	Segrist
Hunt	Skiles
Isaacks	Smith of Frio
Johnson of Ellis	Smith of Hopkins
Johnson of Tarrant	Spencer
Keith	Stinson
Kennedy	Stoll
Kern	Talbert
Kerr	Taylor
Kersey	Tennant
King	Thornberry
Langdon	Thornton
Lehman	Turner
Leonard	Voigt
Leyendecker	Waggoner
Little	Weldon
Lock	Wells
Loggins	Westbrook
Mays	White
McAlister	Wilson
McDaniel	Winfree
McDonald	Wood
McFarland	Worley
McMurry	Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Broadfoot	London
Clark	Piner
Donaghey	Pope
Felty	Ragsdale
Gilmer	Shell
Goodman	Tarwater
Hull	Vale
Kinard	Vint

Absent—Excused

Anderson	Dwyer
Coleman	Heflin
Dean	Oliver

Petsch
Schuenemann

Smith
of Matagorda

The Speaker then laid House Bill No. 1078 before the House on third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—123

Allen	Harris
Allison	Hartzog
Alsup	Holland
Bailey	Howard
Baker	Howington
of Fort Bend	Hunt
Baker of Grayson	Isaacks
Bell	Johnson of Ellis
Blankenship	Johnson of Tarrant
Boethel	Keith
Bond	Kennedy
Boyd	Kern
Boyer	Kerr
Bradbury	Kersey
Bradford	King
Bray	Langdon
Bridgers	Lehman
Brown of Cherokee	Leonard
Bundy	Leyendecker
Burkett	Little
Burney	Lock
Cauthorn	Loggins
Celaya	Mays
Chambers	McAlister
Cleveland	McDaniel
Cockrell	McDonald
Colquitt	McFarland
Colson, Mrs.	McMurry
Cornett	McNamara
Corry	Mohrmann
Crossley	Monkhouse
Daniel	Montgomery
Davis of Jasper	Morris
Davis of Upshur	Newell
Derden	Nicholson
Dickison	Pace
Dickson	Pevehouse
Dowell	Reader of Bexar
Faulkner	Reader of Erath
Ferguson	Reaves
Fielden	Reed
Fuchs	Rhodes
Galbreath	Riviere
Gordon, Mrs.	Roach
Hale	Roberts
Hamilton	Robinson
Hankamer	Russell
Hardeman	Segrist
Hardin	Skiles
Harp	Smith of Frio
Harper	Smith of Hopkins
Harrell of Bastrop	Spencer
Harrell of Lamar	Stinson

Stoll
Talbert
Taylor
Tennant
Thornberry
Thornton
Turner
Voigt
Waggoner

Weldon
Wells
Westbrook
White
Wilson
Winfree
Wood
Worley
Wright

Present—Not Voting

Brown
of Nacogdoches

Absent

Broadfoot
Clark
Donaghey
Felty
Gilmer
Goodman
Hull
Kinard

London
Piner
Pope
Ragsdale
Shell
Tarwater
Vale
Vint

Absent—Excused

Anderson
Coleman
Dean
Dwyer
Heflin

Oliver
Petsch
Schuenemann
Smith
of Matagorda

HOUSE BILL NO. 528 ON SECOND READING

Mr. Loggins moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to engrossment, House Bill No. 528.

The motion prevailed by the following vote:

Yeas—66

Allen	Donaghey
Alsup	Dwyer
Baker	Faulkner
of Fort Bend	Fielden
Bell	Fuchs
Boethel	Galbreath
Bond	Goodman
Bradford	Hankamer
Bridgers	Hardin
Brown of Cherokee	Harper
Burney	Hartzog
Cauthorn	Howard
Celaya	Johnson of Tarrant
Clark	Keith
Cockrell	Kerr
Coleman	Kinard
Colquitt	Lehman
Corry	Leyendecker
Dickison	Lock
Dickson	Loggins

Mays	Rhodes
McAlister	Riviere
McNamara	Shell
Mohrmann	Smith of Frio
Monkhouse	Stoll
Montgomery	Taylor
Nicholson	Thornton
Petsch	Vale
Pevehouse	Voigt
Pope	Wells
Ragsdale	White
Reader of Bexar	Wilson
Reader of Erath	Winfree
Reed	

Nays—64

Allison	Howington
Bailey	Hunt
Baker of Grayson	Isaacks
Blankenship	Johnson of Ellis
Boyd	Kennedy
Boyer	Kern
Bradbury	Kersey
Bray	King
Broadfoot	Langdon
Brown	London
of Nacogdoches	McDonald
Bundy	McFarland
Burkett	Newell
Chambers	Pace
Cleveland	Reaves
Colson, Mrs.	Roach
Cornett	Roberts
Crossley	Robinson
Daniel	Russell
Davis of Jasper	Skiles
Davis of Upshur	Smith of Hopkins
Derden	Spencer
Ferguson	Stinson
Gilmer	Talbert
Gordon, Mrs.	Tennant
Hale	Thornberry
Hamilton	Turner
Hardeman	Vint
Harp	Weldon
Harrell of Bastrop	Westbrook
Harrell of Lamar	Wood
Harris	Worley
Holland	

Absent

Dowell	Morris
Felty	Piner
Hull	Segrist
Leonard	Tarwater
Little	Waggoner
McDaniel	Wright
McMurry	

Absent—Excused

Anderson	Schuenemann
Dean	Smith
Heflin	of Matagorda
Oliver	

PAIRED

Mr. McMurry (present), who would vote "nay", with Mr. Schuenemann (absent), who would vote "yea".

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 528, A bill to be entitled "An Act creating the Texas Greyhound Racing Commission, prescribing the number of members thereof, defining their qualifications, fixing their terms and method of qualification, requiring the members to serve without compensation other than necessary expenses, defining the powers and jurisdiction of the Commission, fixing the places of meeting, directing the employment of an executive secretary and other necessary employees, and limiting their compensation, and providing for payment of expenses of the Commission out of the special fund created by this Act and limiting expenses of the Commission to Twenty-five Thousand (\$25,000.00) Dollars annually; permitting greyhound race meetings and operation of pari-mutuel pools in connection therewith only under license of Commission, and prescribing steps to obtain license as follows: (1) application for permit, (2) form of application and conditions and requisites to issuance of permit, (3) issuance of annual license to holders of approved permits and providing method of obtaining license and fixing license fees; providing for election in county where track is located for approval or rejection of greyhound racing; etc., and declaring an emergency."

The bill was read second time.

Mr. Bell offered the following amendment to the bill:

Amend House Bill No. 528, by inserting the words "and thoroughbred" after the word "greyhound" wherever the word "greyhound" appears therein.

BELL,
HARTZOG,
RAGSDALE,
JOHNSON of Tarrant,
READER of Bexar.

Mr. Hale raised a point of order, on further consideration of the amendment by Mr. Bell, at this time, on the ground that the amendment is not germane to the bill.

The Speaker overruled the point of order.

Mr. Bradbury moved to table the amendment.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—73

Allison	Keith
Bailey	Kennedy
Baker of Grayson	Kern
Blankenship	Kersey
Boyd	Langdon
Boyer	Lehman
Bradbury	Lock
Bray	McFarland
Broadfoot	Montgomery
Brown of Cherokee	Newell
Brown	Nicholson
of Nacogdoches	Pace
Bundy	Piner
Burkett	Reaves
Chambers	Rhodes
Clark	Riviere
Cleveland	Roach
Colson, Mrs.	Roberts
Cornett	Robinson
Crossley	Russell
Daniel	Skiles
Davis of Jasper	Spencer
Davis of Upshur	Stinson
Derden	Talbert
Dickson	Tarwater
Dowell	Tennant
Ferguson	Thornberry
Galbreath	Turner
Hale	Vint
Hamilton	Waggoner
Hardeman	Weldon
Harrell of Lamar	Wells
Harris	Westbrook
Howington	White
Hunt	Wood
Isaacks	Worley
Johnson of Ellis	Wright

Nays—54

Allen	Cockrell
Alsup	Colquitt
Baker	Corry
of Fort Bend	Dickson
Bell	Donaghey
Boethel	Dwyer
Bond	Faulkner
Bradford	Felty
Bridgers	Fielden
Burney	Fuchs
Cauthorn	Goodman
Celaya	Hardin

Harp	Pevehouse
Harrell of Bastrop	Ragsdale
Hartzog	Reader of Bexar
Howard	Reader of Erath
Hull	Reed
Johnson of Tarrant	Shell
Kerr	Smith of Frio
Kinard	Smith of Hopkins
King	Stoll
Leyendecker	Taylor
Loggins	Thornton
Mays	Vale
McAlister	Voigt
McNamara	Wilson
Mohrmann	Winfree
Monkhouse	

Absent

Gilmer	London
Gordon, Mrs.	McDaniel
Hankamer	McDonald
Harper	McMurry
Holland	Morris
Leonard	Pope
Little	Segrist

Absent—Excused

Anderson	Petsch
Coleman	Schuenemann
Dean	Smith
Heflin	of Matagorda
Oliver	

PAIRED

Mr. McMurry (present), who would vote "yea", with Mr. Schuenemann (absent), who would vote "nay".

Mr. Davis of Upshur moved to table House Bill No. 528.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—84

Allison	Clark
Bailey	Cleveland
Baker of Grayson	Colson, Mrs.
Blankenship	Cornett
Bond	Crossley
Boyd	Daniel
Boyer	Davis of Jasper
Bradbury	Davis of Upshur
Bray	Derden
Broadfoot	Dickson
Brown of Cherokee	Dowell
Brown	Faulkner
of Nacogdoches	Ferguson
Bundy	Fielden
Burkett	Galbreath
Chambers	Gordon, Mrs.

Hale	Pace
Hamilton	Piner
Hardeman	Reader of Erath
Harp	Reaves
Harrell of Bastrop	Rhodes
Harrell of Lamar	Roach
Harris	Roberts
Howington	Robinson
Hull	Russell
Hunt	Skiles
Isaacks	Smith of Hopkins
Johnson of Ellis	Spencer
Keith	Stinson
Kennedy	Talbert
Kern	Tarwater
Kersey	Tennant
King	Thornberry
Langdon	Turner
Lehman	Vint
Little	Weldon
Lock	Wells
McDaniel	Westbrook
McDonald	White
McFarland	Wood
Mohrmann	Worley
Newell	Wright
Nicholson	

Nays—44

Allen	Johnson of Tarrant
Alsup	Kerr
Baker	Kinard
of Fort Bend	Leyendecker
Bell	Loggins
Boethel	Mays
Bradford	McAlister
Bridgers	McNamara
Burney	Monkhouse
Cauthorn	Pevehouse
Celaya	Pope
Cockrell	Ragsdale
Colquitt	Reader of Bexar
Corry	Reed
Dickson	Shell
Donaghey	Smith of Frio
Dwyer	Stoll
Fuchs	Taylor
Goodman	Thornton
Hankamer	Vale
Hardin	Voigt
Hartzog	Wilson
Howard	

Absent

Felty	Montgomery
Gilmer	Morris
Harper	Riviere
Holland	Segrist
Leonard	Waggoner
London	Winfree
McMurry	

Absent—Excused

Anderson	Dean
Coleman	Heflin

Oliver	Smith
Petsch	of Matagorda
Schuenemann	

PAIRED

Mr. McMurry (present), who would vote "yea", with Mr. Schuenemann (absent), who would vote "nay".

NOTICE GIVEN

Mr. Derden gave notice, that he would, on the next legislative day, move to take up for consideration, at that time, House Bill No. 451, which bill was heretofore laid on the table subject to call.

MOTION TO PLACE HOUSE BILL
NO. 1031 ON SECOND
READING

Mr. Lock moved that the regular order of business be suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 1031, A bill to be entitled "An Act appropriating the sum of One Million, Two Hundred Seventy-eight Thousand, Nine Hundred Seventy-eight (\$1,278,978.00) Dollars as a supplement to the equalization appropriations for the biennium as passed by the Forty-fifth and Forty-sixth Legislatures, provided no school shall benefit hereunder that has paid its public funds to any person for securing legislative aid; providing the funds herein appropriated are to be expended in accordance with the provisions of this Act; providing the funds herein appropriated are to be prorated on percentage basis to those schools having had payments made on a percentage basis, to make the grants of teacher's salaries and of transportation aid, each as nearly as possible one hundred (100%) per cent; providing no school shall receive reimbursement which was not approved for payment prior to the passage of this Act, providing a penalty for violating the provisions of this Act; setting aside the sum of Eight Hundred Fourteen Thousand, Seven Hundred Sixty-nine (\$814,769.00) Dollars for salary aid; Four Hundred Sixty-three Thousand, Two Hundred Nine (\$463,209.00) Dollars for transportation; One Thousand (\$1,000.00) Dollars for administration, and declaring an emergency."

BILLS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills:

H. B. No. 886, "An Act providing that County Commissioners' Courts and the municipal government of any incorporated city, town or village, may appoint, employ and pay case workers and investigators to make investigations of needy persons to whom may be supplied necessities, furnished by the Texas Relief Commission, any proper Federal Agency, or by counties or cities or by any one of said agencies, city, commission, city or county; providing that in no case shall there be employed more than one case worker or investigator to every one hundred thousand (100,000) inhabitants of each county in this State; providing that County Commissioners' Courts in this State in conjunction with municipalities and governments of any incorporated city, town or village may enter into an agreement to jointly appoint, employ and pay the salary of case workers or investigators to make investigations of needy persons to whom may be supplied necessities furnished by the Texas Relief Commission or any proper Federal Agency or by counties or cities, or by any one of said agencies, commissions, cities or counties in such proportionate parts as may be agreed upon by the said Commissioners' Court of any county and any municipal government situated in said County, etc., and declaring an emergency."

H. B. No. 180, "An Act to amend Chapter 23 of the Acts of the Third Called Session of the Thirty-sixth Legislature of the State of Texas, same being an Act entitled: 'An Act to aid the City of Rockport in constructing seawalls, breakwaters, revetments and shore protections by donating to the city the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated in Aransas County, Texas, for a period of twenty years, and to authorize said city to issue bonds for the purposes mentioned, and to provide a penalty for the misapplication of funds raised therefrom, and to declare an emergency.' By extending the provisions of said Act for a period of forty years from September 1st, 1920 and to aid the City of Rock-

port to pay interest and sink funds upon outstanding bonds heretofore issued, the proceeds of which have been used exclusively in constructing and maintaining seawalls, breakwaters and shore protection to protect the City of Rockport and to issue bonds for the purpose of constructing seawalls, breakwaters, revetments and shore protection to protect said City of Rockport."

H. B. No. 181, "An Act to extend for an additional period of twenty years the provisions of Chapter 22, Acts of the Third Called Session of the Thirty-sixth Legislature and to amend same in other particulars so as to read and be as provided for herein and to aid the City of Aransas Pass in constructing and maintaining sea walls, break waters, and other shore protections, including wharves forming part or parts of same in order to protect said city from calamitous overflows by donating to it the eight-ninths (8/9) of the ad valorem taxes collected on property and from persons in San Patricio County for period ending August 31, 1960, and providing a penalty for the misapplication of monies thus donated, and declaring an emergency."

H. B. No. 132, "An Act making it unlawful for any attorney at law, attorney in fact, or any other person, firm, corporation, or association of persons whatsoever to charge a fee for any services of any character or kind that he might render in behalf of a person or persons who might now or at any time hereafter be eligible for any Social Security benefits as provided by the laws of Texas and/or the United States; declaring it to be unlawful for any such attorney at law, or attorney in fact, or any other person, firm, corporation, or association of persons whatsoever to advertise, hold himself out, or solicit fees in behalf of such efforts or services; prescribing penalty for violation of the provisions of this Act; making provisions for certain organizations; repealing all laws, or parts of laws in conflict herewith, and declaring an emergency."

HOUSE BILLS ON FIRST READING

Mr. Alsup asked unanimous consent, to introduce, at this time, and have placed on first reading, House Bill No. 1138.

There was no objection.

The Speaker then laid the bill before the House, it was read first time, and referred to the appropriate committee, as follows:

By Mr. Alsup:

H. B. No. 1138, A bill to be entitled "An Act to suspend the operation of the provisions of Senate Bill No. 9, Acts of the Forty-sixth Legislature, Regular Session, 1939, until 1939, and declaring an emergency."

Referred to the Committee on State Affairs.

The following House bill, introduced today, was laid before the House, read first time, and referred to the appropriate committee, as follows:

By Mr. Harp:

H. B. No. 1139, A bill to be entitled "An Act to authorize the Commissioners' Court of Childress County to make a land grant to the State Park Board of the State of Texas for the purpose of creating a State park, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

CONFERENCE COMMITTEE REPORT ON HOUSE BILL NO. 257

On motion of Mr. Thornton the following Conference Committee report was ordered printed in the Journal:

Austin, Texas, June, 1939.

Honorable Coke Stevenson, President of the Senate.

Honorable R. Emmett Morse, Speaker of the House of Representatives.

Sirs: We, your Conference Committee, appointed to adjust the differences between the House and the Senate on House Bill No. 257, have had the same under consideration and beg to report back with the recommendation that it do pass in the form hereto attached.

Respectfully submitted,

ROBERTS,
BROWNLEE,
KELLEY,
SMALL,

On the part of the Senate.

THORNTON,
SCHUENEMANN,
VALE,
SMITH of Hopkins,
BAKER of Fort Bend,

On the part of the House.

By Mr. Thornton:

H. B. No. 257

A BILL

To Be Entitled

An Act making an appropriation for the support and maintenance of the Judiciary of the State of Texas for the biennium beginning September 1, 1939, and ending August 31, 1941; requiring certain fees paid to clerks or officers of all Appellate Courts to be deposited monthly in the State Treasury; prescribing certain rules and restrictions respecting the expenditures of appropriations made herein; suspending all laws in conflict herewith; declaring the invalidity of any portion of this Act shall not affect any other portion, and declaring an emergency.

Be It Enacted by the Legislature of the State of Texas:

Section 1. That the several sums of money herein specified, or so much thereof as may be necessary, are hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, for the purposes herein indicated, as follows:

COURT OF CIVIL APPEALS
First District, Galveston, Texas

		For the Years Ending	
		August 31, 1940	August 31, 1941
Salaries and Maintenance:			
1.	Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2.	Clerk	3,780.00	3,780.00
3-1	Deputy clerk or stenographer	1,800.00	1,800.00
3-2	Deputy clerk or stenographer	1,500.00	1,500.00
4.	Porter	720.00	720.00
5.	Books for library, transferable	500.00	500.00
6.	Equipment, maintenance, and contingent expenses, including one-half dictograph equipment first year	500.00	500.00
Totals		\$ 28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS
Second District, Fort Worth, Texas

Salaries and Maintenance:			
1.	Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2.	Clerk	3,780.00	3,780.00
3-1	Deputy clerk or stenographer	1,800.00	1,800.00
3-2	Deputy clerk or stenographer	1,500.00	1,500.00
4.	Porter	720.00	720.00
5.	Equipment, maintenance and contingent expenses	500.00	500.00
6.	Books for library, transferable	500.00	500.00
Totals		\$ 28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS
Third District, Austin, Texas

Salaries and Maintenance:			
1.	Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2.	Clerk	3,780.00	3,780.00
3-1	Deputy clerk or stenographer	1,800.00	1,800.00
3-2	Deputy clerk or stenographer	1,500.00	1,500.00
4.	Porter	720.00	720.00
5.	Equipment, maintenance, and contingent expenses	600.00	600.00
6.	Books for library, transferable	300.00	300.00
9.	Lighting fixtures-wiring	300.00	
Totals		\$ 28,500.00	\$ 28,200.00

COURT OF CIVIL APPEALS
Fourth District, San Antonio, Texas

Salaries and Maintenance:			
1.	Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2.	Clerk	3,780.00	3,780.00
3-1	Deputy clerk or stenographer	1,800.00	1,800.00
3-2	Deputy clerk or stenographer	1,500.00	1,500.00
4.	Porter	720.00	720.00
5.	Equipment, maintenance, and contingent expenses	500.00	500.00
6.	Books for library, transferable	500.00	500.00
Totals		\$ 28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS

Fifth District, Dallas, Texas

		For the Years Ending	
		August 31,	August 31,
		1940	1941
Salaries and Maintenance:			
1. Three judges at \$6,500 (S)	\$	19,500.00	\$ 19,500.00
2. Clerk		3,780.00	3,780.00
3-1 Deputy clerk or stenographer		1,800.00	1,800.00
3-2 Deputy clerk or stenographer		1,500.00	1,500.00
4. Porter		720.00	720.00
5. Books for library, transferable		500.00	500.00
6. Equipment, maintenance, and contingent ex- penses		500.00	500.00
Totals	\$	28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS

Sixth District, Texarkana, Texas

Salaries and Maintenance:			
1. Three judges at \$6,500 (S)	\$	19,500.00	\$ 19,500.00
2. Clerk		3,780.00	3,780.00
3-1 Deputy clerk or stenographer		1,800.00	1,800.00
3-2 Deputy clerk or stenographer		1,500.00	1,500.00
4. Porter		720.00	720.00
5. Equipment, maintenance, and contingent ex- penses		500.00	500.00
6. Books for library, transferable		500.00	500.00
Totals	\$	28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS

Seventh District, Amarillo, Texas

Salaries and Maintenance:			
1. Three judges at \$6,500 (S)	\$	19,500.00	\$ 19,500.00
2. Clerk		3,780.00	3,780.00
3-1 Deputy clerk or stenographer		1,800.00	1,800.00
3-2 Deputy clerk or stenographer		1,500.00	1,500.00
4. Porter		750.00	750.00
5. Equipment, maintenance, and contingent ex- penses		500.00	500.00
6. Books for library, transferable		500.00	500.00
Totals	\$	28,330.00	\$ 28,330.00

COURT OF CIVIL APPEALS

Eighth District, El Paso, Texas

Salaries and Maintenance:			
1. Three judges at \$6,500 (S)	\$	19,500.00	\$ 19,500.00
2. Clerk		3,780.00	3,780.00
3-1 Deputy clerk or stenographer		1,800.00	1,800.00
3-2 Deputy clerk or stenographer		1,500.00	1,500.00
4. Porter		750.00	750.00
5. Equipment, maintenance, and contingent ex- penses		500.00	500.00
6. Books for library, transferable		500.00	500.00
Totals	\$	28,330.00	\$ 28,330.00

COURT OF CIVIL APPEALS

Ninth District, Beaumont, Texas

	For the Years Ending	
	August 31, 1940	August 31, 1941
Salaries and Maintenance:		
1. Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2. Clerk	3,780.00	3,780.00
3-1 Deputy clerk or stenographer	1,800.00	1,800.00
3-2 Deputy clerk or stenographer	1,500.00	1,500.00
4. Porter	720.00	720.00
5. Equipment, maintenance, and contingent ex- penses	500.00	500.00
6. Books for library, transferable	500.00	500.00
Totals	\$ 28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS

Tenth District, Waco, Texas

Salaries and Maintenance:		
1. Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2. Clerk	3,780.00	3,780.00
3-1 Deputy clerk or stenographer	1,800.00	1,800.00
3-2 Deputy clerk or stenographer	1,500.00	1,500.00
4. Porter	720.00	720.00
5. Books for library, transferable	500.00	500.00
6 Equipment, maintenance, and contingent ex- penses	500.00	500.00
Totals	\$ 28,300.00	\$ 28,300.00

COURT OF CIVIL APPEALS

Eleventh District, Eastland, Texas

Salaries and Maintenance:		
1. Three judges at \$6,500 (S)	\$ 19,500.00	\$ 19,500.00
2. Clerk	3,780.00	3,780.00
3-1 Deputy clerk or stenographer	1,800.00	1,800.00
3-2 Deputy clerk or stenographer	1,500.00	1,500.00
4. Porter	720.00	720.00
5. Equipment, maintenance, and contingent ex- penses	500.00	500.00
6. Books for library, transferable	500.00	500.00
Totals	\$ 28,300.00	\$ 28,300.00

SUPREME COURT OF TEXAS AND COMMISSION OF APPEALS
SECTIONS "A" AND "B"

Salaries and Miscellaneous:		
1. Three judges of Supreme Court at \$8,000 (S)	\$ 24,000.00	\$ 24,000.00
2. Six judges of Commission of Appeals at \$7,500 (S)	45,000.00	45,000.00
3. Clerk of Supreme Court, including services for Commission of Appeals	5,000.00	5,000.00
4. Reporter	3,300.00	3,300.00
5-1 Briefing clerk	2,880.00	2,880.00
5-2 Briefing clerk	2,520.00	2,520.00
5-3 Law clerk-secretary to the Supreme Court ..	2,250.00	2,250.00
5-4 Law clerk-secretary to the Supreme Court ..	2,250.00	2,250.00

		For the Years Ending	
		August 31, 1940	August 31, 1941
5-5	Law clerk-secretary to the Commission of Appeals	1,800.00	1,800.00
5-6	Law clerk-secretary to the Commission of Appeals	1,800.00	1,800.00
5-7	Law clerk-secretary to the Commission of Appeals	1,800.00	1,800.00
5-8	Law clerk-secretary to the Commission of Appeals	1,800.00	1,800.00
6.	Marshal and assistant librarian	1,800.00	1,800.00
7.	Porter for clerk's office	720.00	720.00
8-1	Deputy who shall also act as secretary to the Board of Legal Examiners	2,880.00	2,880.00
8-2	Deputy	2,880.00	2,880.00
8-3	Deputy	2,520.00	2,520.00
8-4	Deputy	2,520.00	2,520.00
9.	Deputy clerk and assistant secretary to Board of Legal Examiners	2,100.00	2,100.00
10.	Porter	720.00	720.00
10-1	Porter	720.00	720.00
11.	Printing, postage, express, books rebinding, repairs, furniture, equipment, cases and contingent expenses	5,000.00	5,000.00
12.	For expenses to be incurred by the Supreme Court in putting into effect the Rule-making Power Act, House Bill 108, Regular Session, 46th Legislature, including all expenses that may be incurred by the Supreme Court in appointing committees, paying the expenses of such committees, postage, printing, stenographic services, and any and all other expenses, including research, as may be determined by the Supreme Court; provided that if the Supreme Court shall appoint any committee of attorneys to assist it in drawing such rules, the Court may pay the actual expenses of such committee, or any member thereof, while away from home, but shall not pay any member of such committee, any salary or compensation for his services	2,500.00	2,500.00
Totals, Supreme Court and Commission..		\$ 118,760.00	\$ 118,760.00

**COURT OF CRIMINAL APPEALS AND COMMISSION IN AID OF
COURT OF CRIMINAL APPEALS**

Salaries and Maintenance:

1.	Three judges at \$8,000 (S)	\$ 24,000.00	\$ 24,000.00
2.	Two judges of Commission in Aid of Court of Criminal Appeals at 7,500 (S)	15,000.00	15,000.00
3.	Clerk	4,350.00	4,350.00
4.	Balliff-secretary	2,250.00	2,250.00
5-1	Briefing clerk	2,250.00	2,250.00
5-2	Briefing clerk	2,250.00	2,250.00
5-3	Law clerk-secretary	1,960.00	1,960.00
5-4	Law clerk-secretary	1,960.00	1,960.00
6.	Court reporter	3,800.00	3,800.00
7.	Secretary-clerk for reporter	1,800.00	1,800.00
8.	Porter and file clerk	720.00	720.00

	For the Years Ending	
	August 31, 1940	August 31, 1941
9. Equipment, books, pictures of deceased judges, maintenance, and contingent expenses	1,500.00	1,500.00
10. Purchase of books	1,000.00
Totals, Court of Criminal Appeals and Commission	\$ 62,840.00	\$ 61,840.00

STATE PROSECUTING ATTORNEY BEFORE COURT OF CRIMINAL APPEALS

Salaries and Maintenance:

1. Attorney	\$ 6,000.00	\$ 6,000.00
2. Clerk-secretary	2,100.00	2,100.00
3. Books, telephone, postage, box rent, furniture, supplies, equipment, and contingent expenses	750.00	750.00
Totals, State's Attorney	\$ 8,850.00	\$ 8,850.00

APPELLATE COURT REPORTS

1. Printing and binding Supreme Court and Court of Criminal Appeals Reports, by Board of Control	\$ 7,000.00	\$ 7,000.00
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JUDICIARY SECTION—COMPTROLLER'S DEPARTMENT

1. Salaries of one hundred and twenty-nine District Judges and Criminal District Judges at \$5,000 (S)	\$ 645,000.00	\$ 645,000.00
2. Salaries, including the \$500 Constitutional allowance of fifty-two District Attorneys at \$4,000 per year (as per Chapter 442, Acts, Second Called Session, Forty-fourth Legislature)	208,000.00	208,000.00
3. Salary of Criminal District Attorney in Districts composed of two or more counties (Section 18, Chapter 465, Forty-fourth Legislature)	4,500.00	4,500.00
4. Salary of District Attorney of Thirty-fourth District (El Paso)	5,500.00	5,500.00
5. Salary of Assistant District Attorney of Thirty-fourth District (El Paso)	2,700.00	2,700.00
6. Salary of Assistant District Attorney of Fifty-third District (Travis County)	3,000.00	3,000.00
7. Salary of Assistant District Attorney of Special Ninth District (House Bill No. 142, First Called Session of Forty-third Legislature)	2,750.00	2,750.00
8. Salary of one Assistant District Attorney or one Investigator in Forty-ninth District	1,800.00	1,800.00
9. Compensation of one Assistant District Attorney or one Special Investigator for each of the following Judicial Districts: Thirtieth and Seventy-second; at \$1,800	3,600.00	3,600.00
10. Salary of Assistant District Attorney in Forty-seventh District	2,510.00	2,510.00
11. Salary of Assistant District Attorney of Twenty-second District (per Article 326K-3, Revised Civil Statutes of Texas, 1925)	3,600.00	3,600.00

		For the Years Ending	
		August 31, 1940	August 31, 1941
12.	District Judges' and District Attorneys' expenses in districts composed of two or more counties (per Article 6820, Revised Civil Statutes of Texas, 1925)	47,400.00	47,400.00
13.	Special District Judges' salaries and regular District Judges' expenses when holding Court out of their Districts	7,500.00	7,500.00
14.	Transcript fees to official Court Reporters for narrative statement of facts and/or in cases where Court is required and does appoint attorney to represent defendant in criminal action, and when official reporter is required and does furnish defendant's attorney with transcript of his notes as is provided by law	1,000.00	1,000.00
15.	Fees and cost of officials in cases of escheated estates, including accrued fees.....	50.00	50.00
16.	Fees and cost of sheriffs, attorneys, and clerks in felony cases, and fees of County Judges, County Attorneys, Justices of the Peace, Sheriffs and Constables in examining trials where indictments are returned.....	195,000.00	195,000.00
17.	Apportionment to counties at Ten (10) Cents per capita where county officers are paid salaries (per Chapter 465, Section 6a, Second Called Session, Acts, Forty-fourth Legislature)	436,090.00	436,090.00
18.	Apportionments to counties where county officers are paid salaries and where there is a Criminal District Attorney or County Attorney performing the duties of District Attorney (for 33 counties in 1938, per Sub-section B, Section 13, Chapter 465, Acts, Forty-fourth Legislature)	146,429.00	146,429.00
19.	Expenses of attached witnesses, witness fees, and mileage allowed witnesses in felony cases where the witness lives outside the county where the case is being tried.....	190,000.00	190,000.00
20.	Special Judges of Supreme Court, Court of Criminal Appeals and Civil Appeals, where regular Judges are disqualified and where special Judges are appointed; per diem to be same as regular District Judge receives..	1,200.00	1,200.00
21.	Expenses of Civil Judicial Council (per Senate Bill No. 52, First Called Session, Forty-first Legislature)	1,350.00	1,350.00
22.	Traveling expenses of Judges of Courts of Civil Appeals when sitting in other Districts	1,500.00	1,500.00
23.	Salary of Assistant District Attorney of Fifty-third District (Travis County)	2,700.00	2,700.00
Total—Judiciary Section of State Comptroller		\$ 1,913,179.00	\$ 1,913,179.00

RECAPITULATION—JUDICIARY BUDGET

Court of Civil Appeals—First District, Galveston	\$ 28,300.00	\$ 28,300.00
Court of Civil Appeals—Second District, Fort Worth	28,300.00	28,300.00
Court of Civil Appeals—Third District, Austin	28,500.00	28,200.00

	For the Years Ending	
	August 31, 1940	August 31, 1941
Court of Civil Appeals—Fourth District, San Antonio	28,300.00	28,300.00
Court of Civil Appeals—Fifth District, Dallas	28,300.00	28,300.00
Court of Civil Appeals—Sixth District, Texarkana	28,300.00	28,300.00
Court of Civil Appeals—Seventh District, Amarillo	28,330.00	28,330.00
Court of Civil Appeals—Eighth District, El Paso	28,330.00	28,330.00
Court of Civil Appeals—Ninth District, Beaumont	28,300.00	28,300.00
Court of Civil Appeals—Tenth District, Waco	28,300.00	28,300.00
Court of Civil Appeals—Eleventh District, Eastland	28,300.00	28,300.00
Supreme Court and Supreme Commission of Appeals	118,760.00	118,760.00
Court of Criminal Appeals and Commission in Aid of Court of Criminal Appeals	62,840.00	61,840.00
State Prosecuting Attorney Before Court of Criminal Appeals	8,850.00	8,850.00
Appellate Court Reporters	7,000.00	7,000.00
Judiciary of Comptroller's Department	1,913,179.00	1,913,179.00
Combined Grand Total—Judiciary	\$ 2,422,189.00	\$ 2,421,189.00

General Provisions—Judiciary

Sec. 2. All amounts appropriated in this Act for law books, or expended therefor under authority of this Act, shall be paid out of the General Fund and the special accounts in the General Revenue Fund as hereinafter provided. In accordance with the provisions of Chapter 104 of the printed General Laws of the Regular Session of the Forty-fourth Legislature, the several Courts of Civil Appeals are hereby authorized to purchase additional law books out of their local receipts, and there is hereby appropriated to each of said Courts for such purposes for each of the fiscal years ending August 31, 1940, and August 31, 1941, the sum of Seven Hundred (\$700) Dollars out of their local receipts in addition to the specific amounts herein appropriated for library books for said Courts; provided further, and in accordance with said law that any of said Courts of Civil Appeals receiving a specific appropriation of less than Seven Hundred (\$700) Dollars per year for library books shall not expend from said local receipts more than the said specific amount herein appropriated.

Sec. 3. All fees paid to any Court for which appropriations are made herein or to any of the clerks, officers, or employees of any such Court, whether such fees are for official or unofficial copies of opinions, carbon copies, or for other services or documents shall be deposited at the close of each month in the General Fund of the State Treasury and shall be carried as a special account in said fund for the Court depositing same, and none of such fees shall be retained by or paid to said clerks, officers, or employees. Each Court employee whose salary is provided for herein, except porters, shall file, with such Court monthly pay roll, with the Comptroller at the end of each month an affidavit showing that he has not retained any compensation out of any Court fees or other fees received by him of the Court during the previous month and showing that all such fees have been deposited in the State Treasury. The Comptroller shall not issue a warrant in payment of the salary of any such employee for any month unless and until the affidavit required herein has been filed for said previous month.

Sec. 4. (a). Appropriations made in this Act are intended to be, and shall be, construed as being the maximum sums, respectively, except the extra amounts for library books herein provided, which may be used in any way for the purpose or objects named in the Act, and obligations shall

not be incurred in any case which, when the amount thereof added to expenditures actually made, will exceed such maximum sum; and no surplus shall be diverted from one appropriation to another, except transfers or adjustments may be made as between appropriated amounts for books, equipment, maintenance, and contingent items.

(b). All printing and stationery shall be purchased through the Board of Control and shall be confined to such articles and qualities as selected and contracted for by the Board of Control.

(c). No account against any items of witness fees, County Attorneys', Justices' of Peace, Sheriffs', and Constables' fees, and costs of Sheriffs, Attorneys, and Clerks in felony cases, shall be binding as an obligation against the State of Texas, until such account shall have been examined, audited, and approved by the State Comptroller, and no such account shall be paid by the State Treasurer until the same has been approved by the Comptroller.

(d). It shall be the duty of each of the Appellate Courts and judicial agencies of the State annually, and within sixty (60) days after the close of the State's fiscal year, to make a sworn statement to the Governor and the Board of Control of all amounts received and/or expended by said Court and/or agency. A report from each Court shall be filed annually for the calendar year with the Governor, and a copy thereof with the State Board of Control, showing the total number of cases filed in each Court during the year, the number of cases transferred to and from such Court, the number of cases disposed of with proper divisional classification as to total number of cases similarly disposed of, that is, by dismissal, final judgment, reversal, affirmance and any other statistical data which may be required by the Governor or State Board of Control.

(e). Annual salaries provided for herein shall be paid in twelve (12) equal monthly installments.

(f). No funds appropriated in this bill shall be used to pay any expense of traveling outside the boundaries of the State of Texas except for returning fugitives on trips authorized by the Governor, or for payment (or reimbursement for payment) of any tip or gratuity whatsoever.

Sec. 5. Each officer, agent, or employee of a Court named in this Act and entitled to be paid a salary or other compensation out of any appropriation above made shall be paid by warrant and/or check issued in his or her name and specifically showing the amount of salary or sum due and the services for which the payment is being made (with date or dates and place or places of performances of such services) such warrant and/or check to be endorsed, before payment thereof, by such officer, agent, or employee.

The following rules shall be observed by all officers and employees in rendering expense accounts before any expense accounts shall be paid from appropriations herein made for "Traveling Expenses" for employees, Judges, or officers:

"There must be a concise statement of the duties performed and the points from and to which the employee, Judge or officer travels, the hour of arrival at and departure from the designated post of duty, and the mode or modes of conveyance.

The name of each hotel, restaurant, boarding or rooming house at which meals and lodging are procured shall be given in every case. Fees, as tips to waiters on dining cars, or at hotels or restaurants or otherwise shall not be approved.

The use of railroad scrip books and other forms of transportation provided at the expense of the State are hereby prohibited, and hereafter all railroad and other transportation shall be paid in cash and properly listed in expense accounts rendered. Tax exemption certificates shall be used in all cases where the State is exempt from the payment of Government tax under Federal provision.

The State Comptroller shall be governed accordingly in the issuance of warrants covering payment for railroad scrip books and other forms of transportation.

Unless otherwise specifically provided by the statutes, it is provided that any officer or employee who travels on official State business and who uses his own car while so doing shall be reimbursed for the use of said car on the basis of the total mileage traveled during any calendar month at the following rate: Five cents (5c) a mile for the first thousand miles traveled, four cents (4c) a mile for the second thousand miles traveled, three cents (3c) a mile for the third thousand miles traveled and two cents (2c) a mile for each mile traveled in excess of three thousand miles.

Money appropriated above for stamps or postage shall be expended only upon warrants made payable to a Postmaster and endorsed by such Postmaster or his deputy or authorized clerk.

That portion of every appropriation out of State funds or local receipts made herein which is unexpended at the close of the fiscal year for which the appropriation is made shall immediately revert to and become a part of the General Revenue Fund. It is hereby provided that the word "unexpended" as used in this Act means "not disbursed nor contracted to be disbursed."

Sec. 6. All laws and parts of laws in conflict herewith are expressly suspended for the period of the biennium for which this appropriation is made.

Sec. 7. If any section, sentence, clause, or part of this Act shall, for any reason, be held to be invalid, such decision shall not affect the remaining portions of this Act, and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof, irrespective of the fact that any other sentence, section, clause, or part thereof may be declared invalid.

Sec. 8. The fact that the above and foregoing is one of the regular appropriation bills to pay the salaries, support, maintenance, and operation of the Judiciary and other important agencies of the State for the two (2) fiscal years beginning September 1, 1939, and ending August 31, 1941, and the crowded condition of the calendar of the two Houses of the Legislature, create an emergency and an imperative public necessity, requiring the Constitutional Rule that bills be read on three several days be suspended, and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

RECESS

Mr. Bond moved that the House adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Thornton moved that the House recess until 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion to adjourn, it was lost.

Question next recurring on the motion to recess until 10:00 o'clock a. m., tomorrow, yeas and nays were demanded.

The motion prevailed by the following vote:

Yeas—81

Baker
of Fort Bend

Baker of Grayson
Blankenship

Boethel

Bond

Boyd

Boyer

Bradford

Broadfoot

Brown

of Nacogdoches

Bundy

Burkett

Cauthorn

Celaya

Chambers

Clark

Cleveland

Colquitt

Colson, Mrs.

Corry

Crossley

Daniel

Davis of Jasper

Davis of Upshur

Dickson

Dwyer

Felty

Fuchs

Galbreath

Gilmer

Goodman

Hamilton

Hankamer

Hardeman

Hardin

Harrell of Lamar

Howard

Howington

Hull

Isaacks

Johnson of Tarrant

Keith

Kerr

Kersey

Kinard	Roach
King	Roberts
Leonard	Robinson
Leyendecker	Segrist
Little	Stinson
Loggins	Stoll
McAlister	Talbert
McDaniel	Tarwater
McDonald	Taylor
McMurry	Tennant
McNamara	Thornberry
Mohrmann	Thornton
Nicholson	Vale
Pevehouse	Waggoner
Pope	Wilson
Reader of Bexar	Winfree
Reaves	Wood
Reed	Wright
Riviere	
Nays—49	
Allen	Kern
Alsup	Langdon
Bailey	Lehman
Bell	Lock
Bradbury	London
Bray	Mays
Brown of Cherokee	Montgomery
Burney	Newell
Cockrell	Pace
Cornett	Piner
Derden	Reader of Erath
Dickison	Rhodes
Dowell	Russell
Faulkner	Skiles
Ferguson	Smith of Frio
Gordon, Mrs.	Smith of Hopkins
Hale	Spencer
Harp	Turner
Harper	Vint
Harris	Weldon
Hartzog	Wells
Holland	Westbrook
Hunt	White
Johnson of Ellis	Worley
Kennedy	
Absent	
Allison	Monkhouse
Bridgers	Morris
Donaghey	Ragsdale
Fielden	Shell
Harrell of Bastrop	Voigt
McFarland	
Absent—Excused	
Anderson	Petsch
Coleman	Schuenemann
Dean	Smith
Heflin	of Matagorda
Oliver	

The House, accordingly, at 5:30 o'clock p. m., took recess until 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolution, as follows:

State Affairs: House Concurrent Resolution No. 190.

Municipal and Private Corporations: House Bill No. 1130.

Judiciary: Senate Bill No. 477.

Education: House Bill No. 1136.

Appropriations: Senate Bill No. 320; House Bill No. 1126.

Counties: House Bill No. 1096.

Judicial Districts: Senate Bill No. 488.

Conservation and Reclamation, Senate Bill No. 449.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 162, Granting A. C. Petersen permission and authority to present his claim to the Compensation Claim Board.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 157, Urging United States Government to make use of cotton twine.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 180, Authorizing Highway Department to give certain wire to School Board of Prairie Point Com-

mon School District No. 10 of Montague County.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 188, Authorizing the Enrolling Clerk to make certain changes in House Bill No. 387.

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 192, In memory of the Hon. Richard W. Mayfield.

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 1130, A bill to be entitled "An Act releasing all penalty and interest accrued on ad valorem city and independent school district taxes which were delinquent on July 1, 1938, in all cities in this State having a population of not less than one hundred thousand (100,000) nor more than one hundred and twenty thousand (120,000) by the last preceding Federal Census, provided said taxes are paid on or before June 1, 1939; exempting from provisions of the Act penalties and interest on taxes which have been reduced to final judgment, and declaring an emergency."

Has carefully compared same and finds it correctly engrossed.

WELDON, Vice-Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1094, "An Act fixing the salaries of superintendents of public instruction in each county in Texas having a population of not less than twenty-three thousand, six hundred and twenty (23,620) nor more than twenty-three thousand, eight hundred (23,800), and in all counties having a population of not less than twelve thousand, four hundred and sixty (12,460) nor more than twelve thousand, seven hundred and eighty (12,780), according to the last Federal Census; providing mode and manner of paying such salaries; repealing all laws and parts of laws in conflict herewith to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1081, "An Act making an appropriation for the 'Upper Guadalupe River Authority'; designating who shall have authority to execute vouchers under the direction and with the consent of Directors of said District; limiting the purposes for which the money may be spent; providing money therein appropriated is intended as a loan and is to be repaid to the State's General Revenue Fund from the first revenue received by said District, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1071, "An Act amending Article 2351 of the Revised Civil Stat-

utes of Texas of 1925, by adding thereto Section 16, providing that Commissioners' Courts in certain counties may use county road machinery and funds from the General Fund or Road and Bridge Funds in cleaning streams and in aiding flood control when said Court decides such improvements will be of aid to the county in the maintenance and the building of county roads, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1060, "An Act fixing and providing for the payment of the salary and traveling and office expenses of the county superintendent of public instruction in counties with a population of not less than thirteen thousand, four hundred and fifty (13,450) nor more than thirteen thousand, six hundred (13,600) and not less than nineteen thousand, nine hundred and fifty (19,950) nor more than twenty thousand, one hundred (20,100), according to the preceding Federal Census; and fixing and providing for payment of compensation of county school trustees in such counties, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1021, "An Act making it unlawful to use or possess oyster dredges in or on certain waters of Copano Bay, with exceptions; providing the Game, Fish and Oyster Commission may issue permits to use dredges to improve reefs, and that this Act does not apply to privately owned reefs; providing that United States Geodetic Maps are admissible in case of prosecution for violation of fish and oyster laws; providing a penalty; repealing all laws or parts

of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1099, "An Act validating and approving all proceedings had by cities and towns having a home rule charter in amending said charters so as to eliminate any requirements in said charter that any portion of the annual ad valorem tax levied in said city or town shall be provided for or set apart for the use of the public free schools in said city or town; provided this Act shall only apply to cities and towns acting under a home rule charter and which charter sought to be amended provided that a portion of the annual ad valorem taxes levied shall be set apart for the use of the public free schools; and further provided that this Act shall not apply to such cities and towns unless, prior to the voting of said amendment, the control of the public free schools in such cities and towns had been separated from the jurisdiction of said cities and towns and such public free schools were being operated under the control and jurisdiction of an independent school district; and repealing Senate Bill No. 439, Acts of the Regular Session of the Forty-sixth Legislature; and further provided this Act shall not apply to any such proceedings the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1098, "An Act to prohibit the sale or offering for sale, or the buying of any bass, crappie, perch, or catfish or any other fish taken from any river, creek, lake, slough, bayou,

tank, or pond flowing or situated within the boundaries of DeWitt County; prescribing a penalty, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1101, "An Act to provide for rural school supervisor in San Augustine County; providing mode and manner of paying such salary; providing for appointment of rural school supervisor in said County by the County Superintendent of the County; providing qualifications and tenure of office; prescribing certain duties; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1107, "An Act validating, confirming, approving, and legalizing all bonds heretofore authorized by the necessary vote of the qualified voters of all cities or towns at an election, or elections held during the year 1938; providing this Act shall only apply to cities and towns acting under a home rule charter and which city or town did not at the time of the holding of said election, or elections, own any of the following utilities from which it could derive revenue: water system, sanitary sewer system, electric light system, or natural gas distribution system; repealing Senate Bill No. 438, Acts of the Regular Session of the Forty-sixth Legislature; and providing this Act shall not apply to any such bond the validity of which has been contested or attacked in any pending suit or litigation, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1110, "An Act fixing compensation for Justices of the Peace and Constables in certain counties; providing said compensation may be paid by part fees and part salary; providing mode and manner of payment of this salary; providing for limitations under this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 1118, "An Act to authorize, enable, and permit the territory situated within the bounds of the Andrews Independent School District, in the County of Andrews and State of Texas, and other lands and territory adjacent thereto in Andrews County, to incorporate as an independent district for free school purposes only, to be hereafter known as the Andrews Independent School District, with all the powers, rights, privileges, and duties of independent school districts formed by incorporation of territory for free school purposes only; and to provide for an election on the question of divesting the old Andrews Independent School District of control of its public schools and title to school properties, and vesting the same in the new Andrews Independent School District and its board of trustees; providing for a Board of School Trustees for the control and management of said Independent School District; providing that all funds held for public school purposes and to be used in the territory included in the new district shall be turned over to the trustees of the new district as herein provided may be created; providing that any outstanding bonds or indebtedness of the old district may, upon an election being held in the new district, be paid

by a tax duly levied in the new district; providing other incidental provisions, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 828, "An Act making an appropriation for use and benefit of the Lower Neches Valley Authority; providing for repayment to the State, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

Austin, Texas, June 12, 1939.

Hon. R. Emmett Morse, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 907, "An Act creating a road law in Blanco County, Texas, providing work on public roads by those liable to such work; providing tax in lieu of such work; providing penalty for failure to pay such tax; providing time of paying such tax and penalty; making failure to work, pay the tax, and/or the penalty, a misdemeanor; affixing penalties therefor; repealing all laws in conflict to the extent of the conflict only, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HAMILTON, Chairman.

In Memory of
Hon. Richard W. Mayfield

Mr. Lehman offered the following resolution:

H. C. R. No. 192, In memory of the Honorable Richard W. Mayfield.

Whereas, On the 10th day of June, 1939, our Almighty God in His superior judgment, which we mortals can little understand, called from our earthly ranks the great soul of the late Richard W. Mayfield, of Giddings, Texas, at the age of 65 years, and he answered that call as gallantly and preparedly as he had always answered every other call in life.

Whereas, Mr. Mayfield received his early education from the North Texas State Normal College of Denton, Texas, graduating from this Institution in 1905. After teaching school in Texas for several years he moved to Giddings, Texas, in the year of 1906, where he studied law under Judge I. H. Bowers. He was admitted to the bar in 1908, practicing law in Giddings from 1908 to 1918, at which time he was elected District Attorney of the 21st, Judicial District. He served as District Attorney from 1918 to 1925, at which time he returned to the practice of law in the City of Giddings, where he has continued his law practice up to the present time. He was a son of Dr. I. N. Mayfield of Giddings.

Whereas, Honorable Richard W. Mayfield had served his State in many valuable ways, giving much of his life to that of public service. His ability and energy made him one of the most outstanding leaders in public welfare. In addition to his success as an attorney and private citizen, he generously contributed his time and talent to humanitarian interest and welfare of his fellow citizens. By his enumerable good deeds, Richard W. Mayfield shall enjoy the immortality that is imperishable and the contributions of good deeds of Richard W. Mayfield to both the community and State shall keep his memory ever aglow, meriting him the highest honor and ovation this State can pay; therefore, be it

Resolved, That a copy of this resolution be spread on the memorial pages of the Senate and House Journals of the day to acknowledge its loyalty and esteem to this great and good soul, Mr. Richard W. Mayfield, and also; be it further

Resolved, That the Chief Clerk of the House of Representatives and the Secretary of the Senate send the family of the deceased a copy of this resolution under their respective seals and that, when the Senate and the House adjourn today, they do so in silent tribute to a man whose name shall live long in the consciousness of his State and in the affection of his friends and sorrowing family.

LEHMAN.

The resolution was read second time.

Signed—Morse, Speaker; Allen, Allison, Alsup, Anderson, Bailey, Baker of Fort Bend, Baker of Grayson, Bell, Blankenship, Boethel, Bond, Boyd, Boyer, Bradbury, Bradford, Bray, Bridgers, Broadfoot, Brown of Cherokee, Brown of Nacogdoches, Bundy, Burkett, Burney, Cauthorn, Celaya, Chambers, Clark, Cleveland, Cockrell, Coleman, Colquitt, Mrs. Colson, Cornett,

Corry, Crossley, Daniel, Davis of Jasper, Davis of Upshur, Dean, Derden, Dickison, Dickson, Donaghey, Dowell, Dwyer, Faulkner, Felty, Ferguson, Fielden, Fuchs, Galbreath, Gilmer, Goodman, Mrs. Gordon, Hale, Hamilton, Hankamer, Hardeman, Hardin, Harp, Harper, Harrell of Bastrop, Harrell of Lamar, Harris, Hartzog, Heflin, Holland, Howard, Howington, Hull, Hunt, Isaacks, Johnson of Ellis, Johnson of Tarrant, Keith, Kennedy, Kern, Kerr, Kersey, Kinard, King, Langdon, Leonard, Leyendecker, Little, Lock, Loggins, London, Mays, McAlister, McDaniel, McDonald, McFarland, McMurry, McNamara, Mohrmann, Monkhouse, Montgomery, Morris, Newell, Nicholson, Oliver, Pace, Petsch, Pevehouse, Piner, Pope, Ragsdale, Reader of Bexar, Reader of Erath, Reaves, Reed, Rhodes, Riviere, Roach, Roberts, Robinson, Russell, Schuenemann, Segrist, Shell, Skiles, Smith of Frio, Smith of Hopkins, Smith of Matagorda, Spencer, Stinson, Stoll, Talbert, Tarwater, Taylor, Tennant, Thornberry, Thornton, Turner, Vale, Vint, Voigt, Waggoner, Weldon, Wells, Westbrook, White, Wilson, Winfree, Wood, Worley and Wright.

On motion of Mr. Cornett, the names of all the Members of the House were added to the resolution as signers thereof.

The resolution was unanimously adopted.